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CHARTER

OF THE

CITY OF COVINGTON,

AND

AMENDMENTS THERETO UP TO THE YEAR 1864,

AND

ORDINANCES OF SAID CITY,

AND

AMENDMENTS THERETO UP TO THE SAME DATE.

COVINGTON, KY.
PUBLISHED BY ORDER OF THE CITY COUNCIL.
1864.

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CHARTER

OF THE

CITY OF COVINGTON,

VIDE SESSION ACTS KENTUCKY LEGISLATURE 1849-50, PAGE 239.

APPROVED MARCH 2, 1850.

AN ACT to amend and reduce into one the several acts concerning the city of Covington.

ARTICLE ONE.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the present corporate boundaries of said city, and the additional territory included in the following boundary, to wit: Beginning on the Ohio river at the western corporation line, the foot of Main street; thence down said river, to a point where a line drawn parallel to and four hundred feet west of the principal part of Wright street, in Ludlow's sub-division, will intersect; thence with said line continued southwardly until it shall intersect Spring street in said sub-division; thence with Spring street to the old line of the Ludlow farm; thence to Quarry street, in Kennedy and Casey's sub-division; thence with said street to Lewis street, in Lewis' sub-division; thence to Montague's street in said sub-division; thence south, thirty degrees east to the Covington and Lexington turnpike road; thence eastwardly, with the south line of said turnpike to the most south-eastwardly part of the elbow of the road, at the point of the hill; thence eastwardly to the south-west corner of the Linden cemetery; thence southwardly to Willow street, at a point thirty poles west of the old Bank Lick road; thence eastwardly

Boundaries of city.

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with Willow street to Bank Lick road; thence with said road to Wallace's northern line; thence with the same to Licking river; thence down the Licking to the present corporate limits at the foot of Twelfth street—shall hereafter constitute the corporate limits of the city of Covington; and the inhabitants thereof are hereby created a body corporate and politic, with perpetual succession, by the name and style of the city of Covington; and in that name may contract and be contracted with, sue and be sued, in all courts and places, whatsoever; and may have and use a corporate seal, and the same to alter and renew at pleasure; and the said corporation shall have concurrent jurisdiction with the State of Kentucky over the waters of the Ohio, and concurrent jurisdiction with the county of Campbell over the waters of Licking opposite thereto: *Provided*, the lands of Richard Southgate, thus included, shall not be taxed for city purposes, until after the expiration of two years from the passage of this act.

Corporate powers and privileges.

SEC. 2. The said city shall have, and is hereby vested with all the rights, titles, interests, privileges, power and authority, which were vested in, possessed and held by the original Trustees of Covington, and their successors, the Mayor and Councilmen, President and Common Council of said city, and said town or city; but the said rights shall be held for the purpose, and subject to the same trusts, as heretofore; that all the streets, roads, lanes, alleys, commons, market spaces, public squares and grounds, and public landings, in said city, be and the same are hereby vested in the city; and where the owner of any land, within said corporation, shall lay out any street, lane, alley, or any ground for public use, and so dedicate the same, it shall immediately vest in the city, and the authorities thereof shall have exclusive control over the same for the public use and good.

City Officers.

SEC. 3. The officers of said corporation shall be as follows: Two members of the City Council from each ward; a President of the Council from the city at large; one Trustee of Common Schools from each ward; a Mayor, Marshal, Assessor, Treasurer, and City Attorney, all of whom shall be elected at the charter election by the qualified voters of said city;

and shall also consist of a City Clerk, and such other officers as the City Council shall, from time to time, create or establish; and the Clerk and all officers whose offices are created by ordinance, shall be filled by appointment of the Council. The officers elected or appointed shall be subject to removal by the Council, whenever they shall deem the interest of the city requires it: *Provided*, members of the Council, President of the Council, Trustees of Schools, and Mayor, shall not be removed. The City Council shall have power, by appointment, to fill all vacancies that shall occur in any of the offices over which they have the power of removal; and, when vacancies shall occur in any of the other offices, the Council shall order an election to fill the vacancy.

Council to appoint officers.

Annual charter elections, when to be held.

SEC. 4. The charter election of said city shall be held on the first Saturday in January in each year. At the first election after the passage of this act, all the elective officers shall be elected, and the free white male citizens of the State, of the age of 21 years or upwards, who have resided in the corporation of said city one year, and in the ward where he shall offer to vote one week next preceding the election, shall be entitled to vote at said election. The officers shall hold their offices as follows: The members of the City Council and President thereof, Marshal and Assessor, two years; Mayor, four years; Trustees of schools, one year; City Clerk, one year; Treasurer and City Attorney, one year. Of the members of the Council elected at the first election, one from each ward shall serve for one year only—which of the two shall be determined by lot—so that at the annual charter election, only one member of the City Council shall be elected from each ward; no person shall be eligible to a seat as member of the City Council until he shall have arrived at the age of twenty-five years, be a citizen of the State, and shall have resided in said city for three years, and ward two months next preceding the election (and be the *bona fide* owner of real estate in said city).

Terms of office of city officers.

Repealed.

If annual election does not take place on proper day, the council to order election.

SEC. 5. If from any cause the charter election shall not be held on the said first Saturday in January, the corporation shall not thereby be dissolved, but the Council in office shall order an election, to be held at

such time as they shall deem proper, as soon after the regular day as circumstances will admit. The charter election shall be on the same day in all the wards, and the Council shall prescribe the hours between which it shall be holden, and the place; and appoint two or more inspectors, in each ward, to superintend the elections, who shall be qualified voters, and shall, under oath, make their returns to the City Clerk, who shall lay the same before the Council, and carefully preserve the said returns as records in his office.

Inspectors of elections.

City Council to judge of qualifications of officers, etc.

The Council shall be the exclusive judges of the qualifications of all the officers, candidates, and returns of the inspectors; and if from any cause, the officers returned elected, shall not be deemed elected or eligible, or an election shall fail of any particular officer, the Council may order a new one to fill the vacancy, as provided in section 3d. All elections shall be determined by a plurality of votes; and all officers elected or appointed for any ward shall reside in it, and a removal from it shall vacate their office; and those elected by the city at large shall vacate their office by removal from the city, or three months continued absence.

City may purchase, hold and sell real estate, stocks, etc.

SEC. 6. That the city shall have power to purchase, hold, sell and convey real estate, within or without the corporate limits, such as shall be deemed necessary for city purposes; also personal property and stock in corporate companies; and may receive conveyances of ground for the purpose of opening, widening, or extending any street, lane, alley, common, space, square, wharf or landing, or for any other purpose; and donations and subscriptions in money or property to be applied for such purposes.

May borrow money and pledge revenue of city, etc.

SEC. 7. Said corporation may borrow money on the credit thereof, and pledge any revenue for the payment of the interest, and any and all property, rights and credits, for the redemption of the loan, and may issue certificates of stock therefor: *Provided*, no loan shall be made until the voters of the city shall have consented thereto, or a majority of those voting on the question: *And, provided further*, that the interest shall not exceed six per centum per annum, nor the indebtedness of the city, at any one time, the sum of $250,000.

OF THE COUNCIL.

ARTICLE TWO.

Legislative and municipal authority, in whom vested, etc.

SECTION 1. The legislative power and authority of said corporation, together with the municipal and fiscal concerns and affairs thereof, shall be vested in the President and members of the Council, who shall meet together and form one Board under the denomination of the City Council, and their proceedings shall be distinguished as that of "the City Council of Covington;" a majority of all the members, including the President, shall constitute a quorum to do business; and in the election or appointment of officers, passing ordinances, removing officers, and appropriating money, a majority of the whole Board shall concur. They shall hold their regular meetings once in two weeks, or at such other times as the President, or in his absence or inability, any four members may call or to which they may have adjourned in some public place provided for that purpose, and their deliberations shall be public.

Council to keep journal of proceedings, etc.

SEC. 2. The Council shall keep a journal of their proceedings; determine their own rules; compel the attendance of members; may punish them for disorderly conduct, and expel a member by a vote of two-thirds of all the members elect, after five days' notice, specifying the charges, and allowing him an opportunity of being heard in defense.

Addition to city declared to be 6th and 7th wards.

SEC. 3. That the addition hereby incorporated in said city, shall, for the time being, constitute the 6th and 7th wards of the city, divided thus: All that portion of the territory thus added, situated east of the turnpike leading towards Lexington, shall constitute the 6th ward; and that portion west of said pike, the 7th ward; and the Council shall, so soon as may be, after the passage of this act, direct an election for two members of the Council, to be held in each of said wards, the candidates and voters possessing the same qualifications herein before prescribed; except the residence shall be within the territory embraced, instead of the city as heretofore bounded.

SEC. 4. The Council shall enter into office, and

When council to enter into their offices, etc.

begin the discharge of their duties on the Thursday succeeding the first Saturday in January, in the year in which they shall be elected, and before they shall commence the duties of their office, shall each be

Shall take an oath.

sworn to support the Constitution of the United States, the Constitution of Kentucky, and the charter of the city of Covington, and that they will well and truly discharge the duties of their respective offices as members of the Council of said city, which oath may be administered by the Mayor of said city, or by any other person having lawful authority by the laws of the Commonwealth to administer oaths; and a record shall be made on the records of the Council, that it has been duly administered.

Shall re-arrange and equalize the wards, etc.

SEC. 5. It shall be the duty of the Council to re-arrange and equalize the wards whenever and as often as shall be deemed necessary: *Provided*, an enumeration of the inhabitants shall precede any change in the boundaries of the wards: *And, provided further*, that the wards shall always be as equal in population as practicable.

May pass by-laws and ordinances, etc.

SEC. 6. The Council shall have power to pass all needful by-laws and ordinances, for the due and effectual administration of right and justice in said city, within the jurisdiction of the Mayor's Court, and for the better government thereof. They may legislate upon all subjects which the good government of said city shall require, unless restrained by the terms of the charter, or the Constitution of this State, notwithstanding the Legislature may have enacted laws relating to the same; they may affix such penalties for a violation of such ordinances, not exceeding fifty dollars, as they may deem the good

Ordinances to be published.

order and welfare of the city shall require. All ordinances passed by the Council, and all their proceedings in Council, shall be printed in a newspaper in said city, or otherwise, and circulated.

May have streets, alleys, etc., graded and paved.

SEC. 7. The Council shall have full power and authority to cause and procure all the streets and alleys, market spaces and lanes, in said city, to be graded and paved, MacAdamized or turnpiked, at the expense and cost of the owners of lots fronting such streets or alleys; and a petition in writing to the said Council, of the owner or owners of the larger part of

the ground between the points to be improved, fronting on any street or alley, public square, etc., shall be sufficient to authorize the Council to contract for the grading and paving and MacAdamizing or turnpiking the same: *Provided*, that the said Council, by a vote of all the members elect, may cause any street or alley, public ground or square in said city, to be graded and paved, or turnpiked at the cost and expense of the owners of the lots, or parts of lots, fronting on such street or alley, etc., without petition or consent; and when the grading, paving, or turnpiking shall be completed, the Council shall apportion the cost and expense equally on the lot owners, according to the feet front. And a lien is hereby given on the lots, or parts of lots, for the same; which costs and expenses may be listed and collected, as other taxes are, by the city Collector, or any special collector, who shall have authority to sell and convey the lots or parts of lots for the same, according to such by-laws and regulations as shall be adopted by the Council: *Provided, however*, that the owner of any lots, or parts of lots, sold for the payment of the costs and expenses of such grading and paving, MacAdamizing or turnpiking, as aforesaid, who has not consented in writing for that purpose, shall be allowed five years to redeem the same, by paying to the purchaser of said lot or part of a lot, so sold as aforesaid, the purchase money with fifty per centum interest per annum, and ten per centum interest on all the taxes and levies that may have subsequently accrued; and those who may have consented in writing may redeem at any time within one year, on payment of the like interest: *Provided*, that infants, *femes covert*, and persons of unsound mind, shall have one year to redeem on like terms, after their respective disabilities shall be removed: *Provided*, the Council shall, by a vote of two-thirds, have power to pay for the grading of the streets out of the city Treasury.

Owners of lots to pay for grading, paving, etc.

Lots sold for paving, etc., may be redeemed, etc.

Proviso in favor of infants, femes covert, etc.

Council may pay for grading and paving.

SEC. 8. The Council shall have power and authority to cause and procure the sidewalks in said city to be graded, curbed, and paved, with stone or brick, and to apportion the cost and expenses among the owners of lots fronting or binding thereon; and a lien is hereby given on the said lots to secure the payment

Side-walks to be graded and paved, etc.

of said costs and expenses, to attach from the time the work is ordered to be put under contract, provided the owners do not have said work done in the manner and within the time prescribed. The Council shall have the like power to cause and procure the streets and alleys, now established, or hereafter to be established, within said city, to be filled, leveled, and graded, for the purpose of carrying off the water, or preparatory to paving or turnpiking, at the costs and expense of the owners of the lots fronting or bounding thereon; and a like lien is hereby given and allowed on said lots and parts of lots, to secure the payment of said costs and expenses, and the costs and expenses accruing under the provisions of this section, shall be listed and collected in like as those for paving and turnpiking; and the collectors shall have like authority to sell and convey the same, as is provided for in the foregoing section; and the said lots or parts of lots shall be liable to redemption in one year from the day of sale, with fifty per centum interest per annum thereon, securing to infants, *femes covert*, and persons of unsound mind, the right respectively to redeem within one year after the removal of their several disabilities.

May fill and level streets, alleys, etc.

Owners of lots, etc., to pay on property to be sold, etc.

May be redeemed, etc.

May order repairs in streets, etc.

SEC. 9. Whenever at any time the streets, alleys, or sidewalks of the said city shall be out of repair, the said Council shall have power to order and direct the same to be repaired at the expense of owners of lots opposite the places where the repairs shall be necessary; and the same lien shall attach; the costs and expenses thereof shall be collected in like manner as is provided in the foregoing section.

May prescribe duties of officers, etc.

SEC. 10. The Council shall have power to prescribe, by ordinance, the duties of the officers appointed by them, requiring bond and security for the faithful performance of their duties, from such of them as they may think proper. And all officers of their appointment shall be removable at their pleasure for good cause.

May pass ordinances for protection against diseases, etc.

SEC. 11. The Council shall have power to pass such ordinances as may be necessary to protect the city from all malignant and contagious diseases, and may, for that purpose appoint a Board of Health, and confer on it all necessary power, whenever in their judg-

ment the interest and safety of the inhabitants of the city may render it necessary and proper; and they may, in their discretion, appoint a Health Officer for the city, and define his powers and duties by ordinance; and they shall provide a pest house, in which they may have persons placed who are infected with said contagious and malignant diseases, subject to such regulations as they may prescribe.

May organize a fire department, etc.

SEC. 12. The Council shall also have power to organize a fire department, for the extinguishment of fires that may occur in the city; to provide engines and other apparatus for that purpose, and suitable buildings for the safe keeping of the same; to organize and appoint fire companies of able-bodied and efficient men, not exceeding one hundred and fifty in each company or association, who shall be exempt from serving on juries, and from doing military service in time of peace, during the period they are attached to said companies or association; and to pass such by-laws and ordinances as may be necessary for the government and regulations of the same, as they may deem expedient; and the said Council shall have power to invest the officers, members, or any portion of said fire companies, with police powers, to be exercised during fires, alarms of fire, or going to and returning therefrom; *Provided*, that the Council shall have power to disband any such companies, and deprive them of their engines, apparatus, buildings, or other property, for proper cause. The Council shall also have power to appoint a chief engineer for said fire companies, for such time as they may think expedient, and discharge him at pleasure; and may prescribe his powers and duties. They may also pass all necessary ordinances for the preservation of the peace and safety of the city; to punish all persons for disorderly, riotous or improper conduct, during times of fire, and to impose fines on such as may refuse, when called upon by the proper officers of the companies or associations, to render assistance in the extinguishment of fires: *Provided*, that when a fireman shall have served faithfully for twelve years, and shall receive a certificate of faithful service, ordered by the company, they shall be exempt from serving

May invest officers with police powers.

May appoint a chief engineer, etc.

May punish riots, etc

Firemen who serve 12 years to be thenexempt.

on juries, and from militia duty in time of peace forever.

May prohibit the erection of wooden buildings, etc.

SEC. 13. The Council shall also have power, with the concurrence of three-fourths thereof, to prohibit the erection of buildings of wood, and to regulate the height of such buildings in any part of the city, if they shall be of opinion that danger would ensue by the construction of such buildings, to valuable and permanent improvements; and they may pass ordinances to enforce the power given by this section, with suitable penalties.

Shall have power over city prison.

SEC. 14. The Council shall have power over and control of the city prison, and shall regulate the government thereof. The Council shall also have power, and it shall be their duty, to erect or procure a suitable building or buildings for a poor house, watch house, a work house, a house of correction, and a house of refuge, to be regulated and managed by suitable persons, to be appointed by the Council for that purpose; and in apartments distinct from those for the infirm and indigent, provision shall be made for confining common beggars, vagrants and such other persons as may be sentenced for short periods of confinement, by Justices of the Peace within the city, or by the Mayor's Court, for breach of the peace or other petty offences; where they shall be employed on such labor, and made to perform such tasks, as shall be directed by ordinances of the Council, in such cases made and provided, and which ordinances they shall have power to pass. Persons committed to the work house shall be sent there and received by virtue of warrants from the Mayor's Court or Justice, as the case may be, and discharged by the Overseers of the work house at the expiration of the time for which they were sentenced: *Provided*, that the length of time of confinement shall be specified in the warrant of commitment. Special Overseers of the poor may be appointed by the Council (and in default of their appointment a committee of the Council), who shall place the poor persons in the poor house at their discretion; but the whole establishment for the benefit of the poor shall be under the immediate care and control of, and subject to frequent visitation by, the Council.

Shall have a poor house.

May confine beggars and vagrants in poor house.

May appoint overseers of the poor.

May prohibit, hogs, cattle, etc., from running at large.

SEC. 15. The Council shall also have power, whenever the public convenience and comfort require it, to prohibit hogs, cattle, horses, and other animals, from running at large in the streets, lanes, alleys, commons, and other public places in the city, and to require and compel the abatement of all nuisances within the city, under such regulations and in such manner, as may be prescribed by ordinance.

May suppress tippling houses and houses of ill-fame.

SEC. 16. The Council shall have power to provide, by ordinance, for the suppression of tippling houses, bawdy houses, and those of ill-fame; gambling houses, and such other houses as are the common resort of idle, dissolute and disorderly persons; to prohibit all retailers of spirituous liquors without license, by imposing adequate penalties on those who shall retail such liquors without license; and to punish, by imposing similar penalties on all riots, disorders, and clamors in the streets and public places, breaches of the peace, and disturbances of the public tranquility, and indecent and licentious conduct.

May erect powder magazines.

SEC. 17. The Council shall have power to erect one or more suitable buildings for powder magazines; to provide suitable carriages for the conveyance of gunpowder, and to pass ordinances to prohibit the introduction of gunpowder into the city, and other explosive compounds, and the keeping and sale thereof without license: *Provided*, that the Council shall have power to license, tax and regulate the keeping and sale thereof. They shall also have power to impose fines upon persons who shall sell gunpowder to children under sixteen years of age and negroes.

May prohibit sale of powder, etc., without license, etc.

Shall have exclusive power to erect gas works, etc.

SEC. 18. The Council shall have also the exclusive power to construct and bargain, and contract for the construction of gas and water works, within said city, and pass all necessary ordinances to regulate the same, and provide for lighting the city with oil or gas, or otherwise, and for furnishing it with water.

Shall have exclusive power to regulate markets, wharves, etc.

SEC. 19. The Council shall have exclusive power to establish and regulate markets and market spaces, wharves and docks, and to fix the rates of wharfage and other fees for the use thereof; they shall also have exclusive power to establish and regulate the grades of all wharves and landings; all banks of the rivers Ohio and Licking, within the corporate limits,

and all sidewalks, streets, alleys, lanes, spaces and commons of the city. They shall have also the exclusive control of the streets, sidewalks, lanes, alleys, market spaces and other public grounds within the corporate limits, and shall cause the same to be kept clean and in repair.

OF THE CITY MARSHAL AND OTHER OFFICERS OF THE CITY.

ARTICLE THREE.

City Marshal's duties, etc.; may have deputies.

SECTION 1. The City Marshal, if required by the Council, shall have a resident deputy in each ward in said city, whose appointment shall be made with the advice and consent of the Council. He shall, by himself, or deputies, attend all the sessions of the Council, together with those of the Mayor's Court, and preserve and enforce order under their and his direction. He shall, by himself or deputies, execute all processes emanating from the Mayor or the Mayor's Court; he shall have the power of Sheriffs in levying executions, and executing and returning process, within the jurisdiction of the Mayor's Court; he shall have the same power to serve notices in writing that constables in the county of Kenton by law have, and for any purpose that constables have authority to do; and his return thereon, either to the Circuit Court or the Mayor's Court, shall be sufficient evidence of such service; he shall collect the fees of the Mayor and City Clerk, if required by them; he shall be a conservator of the peace of said city; he may be chosen City Collector; he shall give bond and sufficient security in an adequate penalty before the Council to the Commonwealth of Kentucky, with a condition faithfully to perform the duties of his office, to collect and pay over to the persons entitled thereto all sums of money entrusted to him for collection, and which may have come into his hands by his having received and collected the same. A lien shall exist, and is hereby granted and given, on the real estate and slaves of the said Marshal and his securities, from the time of executing bond as aforesaid, to secure the payment of all moneys that shall have been received and collected by him, or which shall otherwise come

May be chosen collector, shall give bond.

to his hands as Marshal of said city, to pay and account for, and for any official liability; and a similar lien shall exist, and is hereby granted and given, on the real estate and slaves of the said Marshal and his securities, from the time of executing bond as City Collector, should he be chosen Collector, to secure the payment of all sums collected by him, or which may otherwise come to his hands as Collector of said city. He shall be entitled to charge and receive the same fees, for the like services, which sheriffs are by law entitled to receive; and shall have the same powers, within the limits of the Mayor's jurisdiction, to collect the same. He and his sureties shall be liable to judgment by motion in the Mayor's Court, in favor of any person entitled to moneys collected by him in the same manner, and subject to the same costs and damages that sheriffs are liable for by existing laws; and when he shall receive and collect moneys as City Collector, he and his sureties in his bond as Collector, shall be liable to judgment, by motion in either of the aforesaid Courts, for failing to pay over to the city of Covington, or to the persons entitled thereto, all moneys entrusted to him to be collected, and actually received and collected by him as Collector, with ten per centum damages and costs of the motion. Five days' notice of the time and place of making such motions shall be sufficient; and there shall be no replevin, or valuation of property, on executions issuing on such judgment.

City Treasurer to be elected.

SEC. 2. There shall be a City Treasurer, who shall be elected by the qualified electors of the city, at the time and places of electing members of the City Council, and shall hold his office for one year. Before entering upon the discharge of the duties of his office, he shall give bond to the said city, in such form and amount, and with such securities as the Council may direct and approve; which bond shall be filed with the City Clerk. He shall have charge of the Treasury and fiscal concerns of the city. It shall be his duty to receive all moneys of the city, but he shall not pay out or expend the same, in anywise, except upon the order of the Council; which order shall specify for what purpose the same is to be paid. He shall, at all times, have and keep a careful and cor-

Shall give bond, etc.

His duties etc.

rect account of all receipts and expenditures of the Treasury as the Council may direct, which accounts shall always be open to the inspection and examination of the Council or its proper committee; and shall report the amount of moneys in the Treasury to the Council at the first meeting in each month; and he shall exhibit to the Council, on the 15th day of December in each year, a full statement of the receipts and expenditures of the city since his last annual report, and of the state and condition, for the time being, of the Treasury and fiscal concerns of the city. He shall perform all such other duties appertaining to his office, as the Council may ordain; and for his services, shall receive such a compensation or salary as may be provided by ordinance. He may be removed from office for good cause, by a vote of two-thirds of the whole number of the Council, and the Council shall have power to supply the vacancy occasioned by his removal from office, death, resignation, absence from the State, or other cause.

Shall make annual report, etc.

His salary.

Commissioners of streets, their duties, etc.

Compensation.

SEC. 3. There shall be one or more commissioners of streets, as the Council may ordain. It shall be their duty, subject to the direction of the Council, and in conformity with the ordinances of the city, to enforce all ordinances and regulations relating to the cleaning and lighting of the streets, and generally to perform all such duties, and exercise all such powers, as the Council may ordain; and for their services shall receive a compensation to be fixed and regulated by the Council.

Clerk of the markets and assistants, their duties, etc.

SEC. 4. There shall be a clerk of markets, with one or more assistants, as the Council may ordain. It shall be their duty to enforce all ordinances and regulations of the Council, in relation to the market houses and places of the city, and generally to perform such other duties, not inconsistent therewith, as the Council may ordain; and for their services shall receive a compensation to be fixed and regulated by the Council. The said Superintendent shall hold his office during such time as the Council shall ordain.

Wharf Master and their assistants, their duties, etc.

SEC. 5. There shall be a Wharf Master, with one or more assistants, as the Council may ordain. It shall be their duty to enforce all ordinances and regulations relating to the wharves and landing places

within the city, and generally to perform all such duties, not inconsistent therewith, as the Council may direct; and for their services they shall receive a compensation to be fixed and regulated by the Council. The said Wharf Master shall hold his office during such time as the Council shall ordain.

Compensation.

SEC. 6. There shall be a City Physician, one or more Keepers of the Poor House; and when, in the opinion of the Council, the interest of the city shall render it necessary and proper, one or more port wardens, and a city engineer, and shall hold their respective offices one year—shall be appointed and qualified, and shall perform such duties and exercise such powers, and receive such compensation as the Council shall ordain.

City Physician and keepers of the poor house; port wardens, their duties, etc.

Compensation.

SEC. 7. There shall be appointed one or more Inspectors of beef, pork, lard, butter, fish, salt, flour, meal, biscuit, feathers, tobacco, leather and other products; one or more Inspectors and Guagers of foreign and domestic spirits, malt liquors, molasses, linseed and other oils, and one or more Measurers or Weighers of wood, coal, lime, hay and the like, who shall have the sole and exclusive license to exercise the functions of their respective offices within the limits of said city. Before entering upon the duties of their offices, they shall each give bond to the city of Covington, in such form and amount, and with such security, as the Council shall require, which bonds shall be filed with the City Clerk. The said officers when appointed and qualified shall perform their duties respectively in said city, in the same manner, and subject to the same regulations and penalties as are or may be required and provided for like officers by the law of the Commonwealth, or as in the absence or for want of such laws, may be ordained by the City Council of said city. Their fees shall be regulated by the Council.

Inspectors of beef, pork, lard, etc.

Measurers, weighers, of wood, coal, etc.

To give bond.

Their duties, etc.

Their fees.

THE POLICE.

ARTICLE FOUR.

SECTION 1. The City Marshal shall be the chief of the Police; and there shall be in said city such policemen and watchmen as the Council may, from time to

Marshal to be chief of police.

Policemen and watchmen, their duties.

time, ordain. It shall be the duty of the chief of the Police, and his assistants, and of said policemen and watchmen, under the direction of the Mayor or the President of the Council, and in conformity with the ordinances of said city, to suppress all riots, routs, unlawful assemblies, disturbances and breaches of the peace. It shall also be their duty, and they shall have the power to apprehend all felons, common gamblers, rioters, breakers or disturbers of the peace, night walkers, vagrants, persons of evil fame and of disorderly and riotous conduct; and all such persons may be apprehended without warrant by the said Police officer, or any of them, and may be taken, with such evidence as they may possess, before the Mayor's Court or some Justice of the Peace, to be dealt with according to law; and if such apprehension shall be in the night, then to the watch-house for safe keeping until morning. They shall also have the power and perform the duties of patrollers. They shall have authority to pursue, arrest, with proper warrant, any person or persons fleeing from justice in any part of the State of Kentucky; to apprehend, without warrant, any and all persons in the act of committing any offense against the laws of the State, or the ordinances of the city, and forthwith bring such person or persons before the proper authority for examination; and at all times diligently and faithfully to enforce all such laws, ordinances and regulations, for the preservation of the peace, good order and welfare of the city, as the City Council may ordain; and for such purpose they shall have all the power of constables; they shall be paid for their services such compensation as the Council shall, from time to time, ordain.

Compensation

OF TAXATION.

ARTICLE FIVE.

Council shall have power to levy and collect taxes, etc.

SECTION 1. The City Council shall have power to assess and collect taxes on such real and personal estate in said city as they may designate, not exceeding forty cents on each one hundred dollars valuation for revenue purposes, and one dollar and fifty cents for each tythe; but such taxes shall be uniform on

every description of property assessed by them: *Provided*, that buildings for churches, public school-houses, colleges, and the grounds attached thereto, and dedicated solely for the use thereof; cemeteries and machinery of manufactures shall be exempt from taxation. They shall take in and make a list of all taxable inhabitants within said city, separately, in each ward, and affix against the name of each inhabitant the amount of his, her, or their real estate in said city, with a proper description by number or situation; and also, the true and just value of such real estate, together with the personal estate of each of said inhabitants, whether it shall consist of goods, stocks, manufactures, or other property that may be designated for taxation by the Council, which list may be required to be made by the party, verified by his or her oath; or if the party refuse to give in a list and swear to the same, the value shall be assessed by the Assessor, from the best information he may possess. The compensation of the Assessor shall be fixed by the Council, so that it shall not exceed six cents per list. The Assessor shall take a list of all white children in said city between the ages of five and sixteen years, distinguishing between the male and female.

Taxable inhabitants to be listed, etc.

Assessor, his compensation and duties.

SEC. 2. The books of assessment for the revenue taxes of said city shall hereafter be returned to the City Council by the Assessor on or before the 15th day of March in each year; and immediately after the said assessment shall be received and approved by the Board, the City Clerk shall make out a tax bill against each person assessed with taxes, specifying thereon each item of taxation, the value thereof, and the tax imposed; and where taxes are levied upon property belonging to persons unknown, then a separate bill shall be made out for each species of property taxed; all of which shall be signed by the Clerk officially, and shall be delivered by him to the City Treasurer, within thirty days after the same are ordered to be made out by said Board, taking the receipt of the Treasurer for the gross amount of taxes contained in said bills. The Treasurer, upon receiving such bills, shall give public notice in the newspapers of said city, and by posting up notices in each ward, that the tax bills for the taxes of the current

Books of assessment to be returned by 15th March.

City Clerk to make out tax bills, etc.

Tax bills to be delivered to Treasurer, etc.

Treasurer to publish notice of bills being in his hands.

year are in his hands, and that payment of the taxes is required to be made on or before the first day of June thereafter; after which period there shall be added fifteen per centum to the taxes contained in the tax bills then unpaid. The Treasurer shall deliver the tax bill to the person paying the tax, indorsing thereon, "Received pay," and sign his name officially to the receipt. Within five days after the said first day of June the Treasurer shall indorse the remaining tax bills, if any in his hands, "Delinquent," sign his name as aforesaid, and return them to the City Clerk, who shall thereupon enter a credit for the same upon the Treasurer's receipt, and immediately add to said tax bills fifteen per centum, and place the same into the hands of the Collector of the city for collection, taking a receipt for the amount thereof. Upon the reception of said bills, the Collector shall forthwith proceed to the collection of the taxes therein specified, from the person or persons owing the same; and for that purpose he shall be and is hereby authorized to distrain upon all personal property which he may find in said city belonging to the delinquent, or so much as may be necessary to pay the amount of the taxes due, the per centum and the costs, and dispose of the same by sale in the same manner that sheriffs are authorized to do in collecting the county levy; and no personal property shall be exempt from said distress. In case no personal property can be found by the Collector, he shall then proceed to advertise and sell the real estate of the delinquent in the manner that sheriffs are authorized to do, in advertising and selling real estate by virtue of an execution, except that there shall be no valuation, and the estate shall be sold in front of the public square in said city; and within six days thereafter the Collector shall make a full return of said sale, specifying therein a proper description of the property, the names of the owners, when known, and purchasers, the amount sold, and the time when sold, together with a copy of the advertisement, to the City Clerk, who shall record the same in a book kept for that purpose, and file away and carefully preserve the said proceedings among the papers of his office. The owners may have a right to redeem the real estate

Treasurer to give receipts, etc.

Delinquents.

Clerk's duty.

Collector's duty.

Clerk.

which may be thus sold by the Collector, at any time within three years, by paying or tendering to the purchaser the amount of his purchase money, together with all taxes and levies which have been subsequently levied thereon, and fifty per centum, and after the first year fifty per centum per annum; and when the purchaser shall not be a resident of the city, or can not be found, it shall be lawful for the City Treasurer to receive the money for which the estate proposed to be redeemed was sold, adding the per cent. assessed thereon; which shall be as effectual in redeeming the property as if it had been paid to purchaser. Upon the production of the certificate of sale, by the purchaser or his assigns, the Treasurer shall pay over the said money to him, taking a receipt for the same on the back thereof, which shall be handed over to the City Clerk, to be recorded in the same book in which the sales are recorded. The Collector or his successor shall make the deed to the purchaser of any real estate sold for the taxes, which shall pass the title, unless the same shall have been redeemed; for such deed he shall be allowed two dollars, to be paid by the purchaser. For the collection of taxes the Collector shall be allowed seven per centum, to be paid by the city, and twenty-five cents for each levy on personal property, and twenty-five cents for each certificate of sale of real estate; both fees to be taxed as costs and added to the tax bills. For insuring the payment of the taxes of said city, a lien shall exist, and is hereby given upon all property assessed, real and personal, from the first day of January, in each year, until payment thereof, which shall not be invalidated or affected by subsequent incumbrances, transfers or sales.

Treasurer.

Collector to make deed to property sold for taxes.

Collector to pay over taxes collected to Treasurer.

Shall make out delinquent list.

SEC. 3. It shall be the duty of the Collector to pay over the taxes, as fast as collected, to the Treasurer, and to make a full return of said taxes to, and settlement thereof with the Council, on or before the first Monday of August in each year. He shall make out a list of such persons and property as he finds, after due efforts to collect the taxes, they can not be collected from, and return the same upon oath to the Council, which shall exempt him from all liability for failing to collect the same: *Provided*, that said

delinquent list shall be made out by him and returned after the 15th of July, and before the said first Monday in August.

Penalty for failure of Collector to settle, etc.

SEC. 4. If the Collector shall fail to make returns and settlement, as aforesaid, of all the taxes which are in his hands, on or before the said first Monday in August, he and his securities shall be liable, severally as well as jointly, to judgment upon motion in the Mayor's Court of said city, for the amount of taxes in said tax bills contained, which shall not have been paid over to the Treasurer, and unaccounted for to the Council, together with per centum damages thereon; and within ten days after the rendition of said judgment, if the same shall not sooner be paid, the Mayor shall issue execution against the estate of the Collector and his sureties, or those of them against whom the judgment shall be rendered, directed to the Sheriff of Kenton county or any other county, who shall proceed thereon in the same manner, and be liable to the same penalties as if the execution had issued from the Clerk's office of the Circuit Court. The said execution shall be indorsed, "no security of any kind to be taken," and the Sheriff shall be governed accordingly. There shall be no valuation of property levied upon by said execution, such as is now provided by law in other cases. Five days' notice of said motion shall be given to the Collector and his sureties to authorize judgment; and if the notice be returned not found as to the Collector or any of his sureties, the same may abate as to him or them, or it may be continued to any particular day for service; and so from to time, and when fully served, then the suit shall proceed against all. But if at any stage of the proceedings, it shall be deemed advisable, the suit may abate as to any one or more of the parties, not served with notice, and the case may proceed against those upon whom the notice has been served. An abatement as to any of the parties shall not operate to discharge them or any of them from their liability. The right to appeal or prosecute a writ of error from said judgment is hereby allowed to the parties, to the Kenton Circuit Court, as in other cases from the Mayor's Court, and the aggrieved party may also prosecute an appeal or writ of error to the Court of

Appeals in the same manner, and subject to the same damages and costs as is provided by law in other cases.

Delinquent list to be placed in the Collector's hands from time to time.

SEC. 5. It shall be lawful for the Council to place the delinquent lists or tax bills, from time to time, in the hands of the Collector, until they shall be collected; and the right of distress shall remain, if the same lists or tax bills are sent out at least once in each year; and the Collector shall be liable for failing to collect and account for delinquent lists or bills, in like manner as for original tax bills placed in his hands. Deputy collectors shall have the same powers to act in any case, or to perform any duty appertaining to the office, as their principal; the principal Collector being liable for the acts and doings of his deputies in the same manner, and subject to the same action as though he had himself acted in person.

Penalty for failure of Collector to pay over fines, etc.

SEC. 6. If the Collector shall fail to pay over to the City Treasurer any money in his hands belonging to the said city, whether received for taxes, fines, forfeitures, dues, debts, or on any other account, for the space of ten days after receiving the same, he and his sureties, or any or either one or more of them may be proceeded against for the amount, by motion in the Mayor's Court, in like manner as is provided in section four.

Assessor, Clerk and Treasurer, penalty for failing to perform duty.

SEC. 7. If the Assessor, Clerk, or Treasurer, shall fail to do the duty herein assigned to them, at the respective times directed, without good cause shown, they shall severally forfeit and pay five dollars for every day they shall remain delinquent, to be recovered by suit in the Mayor's Court, for the use of the city.

Council may tax stores, etc., opened after list is taken, etc.

SEC. 8. The Council shall also have power to provide for the taxing of any store, grocery, or any retail establishment which may be commenced or opened at any time subsequent to the day fixed for the annual assessment, or which may have been omitted in such annual assessment; as also all peddlers, except peddlers of bread. They shall also have power to tax auctioneers in said city, (in addition to the taxes imposed by law,) not exceeding one-fourth of one per centum upon all public sales of goods, wares and merchandise, not the produce or manufacture of Kentucky:

May tax peddlers, auctioneers, etc.

and to require them to take out license, with such requisitions and restrictions as may be necessary to enforce said tax; but no tax shall be required upon sales of estates of decedents, or of property sold under executions or decrees.

May tax and license taverns, coffee houses, etc.

SEC. 9. The Council shall also have the power to tax, and the exclusive right to license all taverns, houses of private entertainment, coffee houses, retailers, victualers, confectioners, and houses of public resort, and ten pin alleys; houses of ill-fame, and for gambling excepted: *Provided*, that the State tax on retailers and ten pin alleys or bowling alleys, shall be paid over to the Clerk of the Kenton County Court in the same manner that tax on tavern licenses are directed to be paid.

May tax exchange and brokers' offices, etc.

SEC. 10. The Council shall have the power to license and tax all exchange, loan and broker's offices, agencies of insurance offices, pawnbrokers, hucksters; also to license, tax and regulate all carts, wagons, drays, hackney coaches, carriages and other vehicles kept and used for hire in said city, and the sale of horses, cattle, and other animals at auction.

May tax dogs and other animals.

SEC. 11. They shall also have the power to tax dogs, and other domestic animals, in any sum not exceeding ten dollars on each dog or other domestic animal.

May tax shows and other theatrical performances, etc.

SEC. 12. They shall also have the exclusive power to tax and license all shows, exhibitions, theatrical performances, lectures, concerts and all places of public amusements, where money is charged for admission to the same, such sum as the Council shall deem proper: *Provided*, that lectures of resident professors shall not be taxed. No county levy shall be collected of the inhabitants of said city.

May establish wharves and wharfage.

SEC. 13. The Council shall have power to establish wharves, and a general system of wharfage in said city, on the Ohio and Licking rivers; to pass ordinances regulating said wharves, and defining and prescribing the duties and powers of Wharf Masters, and the mode of collecting wharfage, the rates of which they are hereby authorized to establish, and from time to time to regulate and adjust. They shall have full power and authority to pass all ordinances regulating the manner in which boats and rafts shall lay at said

wharves; and to prevent steam and other boats and water crafts from obstructing the passage and channel of the Ohio and Licking rivers, by anchoring, or lying out in the streams, so as to prevent a free and open passage of all boats, crafts, and rafts; and to impose adequate penalties for infraction of such ordinances.

JUDICIAL DEPARTMENT.

ARTICLE SIX.

Mayor's court, etc.

SECTION 1. The Mayor of said city shall hold a court therein, in such place as the Council shall provide, which shall be styled and called the "Mayor's Court of Covington," and is hereby declared to be a court of record; and shall be provided with and have a seal; and copies or transcripts from the records of the proceedings of said Court, signed and sealed by the Mayor, shall be evidence in all courts and places whatever.

Mayor's jurisdiction defined.

SEC. 2. The said Court shall have exclusive original jurisdiction of all causes arising from violations and breaches of the ordinances and laws of the said city; and concurrent jurisdiction with the Circuit Courts in all criminal cases accruing in said city, except felony; and in civil cases where the amount in controversy shall not exceed fifty dollars; and the same jurisdiction as Justices of the Peace; and the power and authority of two Justices of the Peace in holding examining Courts, inquiring into charges of felony, and committing and recognizing offenders under said charges, and in granting and hearing and receiving return of writs of injunction, *ne exeat*, attachments, and *habeas corpus*. The jurisdiction of said Court shall extend over the territory of the city, and adjacent thereto, to the extent of one mile outside the corporation. Said Court shall also have jurisdiction in cases of idiocy, lunacy, vagrancy, and may bind out orphan children, and hear and redress their complaints, as also the children of such persons as are disqualified, from their circumstances and habits of life, to train them up in a proper manner.

May issue original, mesne and final process, etc.

SEC. 3. The said Court may award all such process, original, mesne and final, as may be deemed necessary and proper, in the due and efficient administration of

justice in said jurisdiction; all original process shall be directed to and executed by the City Marshal, or some of his deputies; and mesne and final process may be issued and directed to said Marshal or any sheriff or constable in any part of this Commonwealth without the corporation, which officers shall receive and execute the said writs, and make returns under the same rules and liabilities they are required to do of like process from the Circuit Court and Justices of the Peace.

Shall have exclusive jurisdiction where City Council shall open streets, etc.

SEC. 4. That said Court shall have exclusive original jurisdiction in all cases where the City Council shall proceed to condemn land or materials for the opening, extending and widening streets, lanes, alleys, commons, wharves, landings, market spaces, public squares, etc., who shall have power and authority to award the writ of *ad quod damnum*, and adjudicate upon the same. Whenever the City Council shall intend and determine to condemn land and materials, for purposes aforesaid, they shall direct a petition in the name of the city, to be filed in said Court, setting forth a particular description of the land or materials to be condemned, for what purpose, and the name of the owner or owners thereof; upon the filing of which the Court shall award the summons to the proprietors, if living in the city or county, and if in the county to the Sheriff; and when the proprietor shall not live in the city or county, then notice to his or her agent shall be given, if he have one known to the authorities as such; or an order of warning shall be entered up by said Court against him or them, and a copy of which shall be advertised for at least two weeks in some newspaper printed in said city; upon the process being executed, or order of warning published, as aforesaid, which shall be certified by the editor of the paper in which it shall have been inserted, the Court shall, if any owner of the land or materials require it, award a writ of *ad quod damnum*, directed to the City Marshal, who shall summon twelve lawful jurors of the Commonwealth to appear before the said Court on the day fixed in the writ; at which time also the owners requiring it shall proceed to prove, by competent testimony, the damages which he or they will sustain by the condemnation prayed for; and the

jury shall assess the amount which they shall deem right, taking into consideration the advantages and disadvantages which the owners may derive from the condemning of his land or materials; and the Court shall enter judgment against the city therefor, unless the city shall give notice to the Court in thirty days that the opening of the street is abandoned; in which case judgment shall only be rendered against the city for costs. The parties shall have the right of challenge as in civil cases, and the panel shall be filled from bystanders. The Court shall rule all questions of law arising upon the trial; may grant a continuance to a particular day from time to time, upon good cause shown, and may award a new trial; should the city or owner be dissatisfied with the verdict and judgment, an appeal may be taken to the Circuit Court, where it shall be tried *de novo;* from whence the cause may be taken to the Appellate Court, as other civil causes are taken.

Mayor's court shall always be open—may set causes for particular days.

May summon grand jury.

SEC. 5. The said Court shall always be open for the trial of causes and hearing complaints; and may set causes for any particular day, and make process returnable to any day therein named (or forthwith when the nature of the case may require it,) and shall cause to be summoned, at least quarter annually, a grand jury, who shall inquire into and present or report bills of indictment upon all matters which shall come to their knowledge of which said Court has jurisdiction, and is the proper subject matter of presentment or indictment; and the Court shall dispose thereof in the same manner as the Circuit Court.

Fines for disturbing worship assessed, etc.

SEC. 6. Fines for disturbing religious worship, riots, routs, unlawful assemblies and breaches of the peace, may be assessed by a jury in said Court, to one hundred dollars; and all fines assessed in said Court, and by Justices of the Peace in said city, shall be for the use of said city; as also all forfeitures and penalties recovered on recognizances and penal bonds taken in the Mayor's Court.

Appeals from Mayor's court allowed.

SEC. 7. Appeals from the Mayor's Court to the Circuit Court shall be allowed in all cases where the same jurisdiction is exercised as by Justices of the Peace; and where appeals would be from Justices;

and also in all civil causes over the jurisdiction of a Justice of the Peace.

Mayor to receive annual salary. Mayor's fees.

SEC. 8. The Mayor shall receive an annual salary of five hundred dollars, payable quarterly out of the city treasury, and such fees as are allowed to Justices of the Peace, where he performs the duties of Justice of the Peace; and in other cases, the same as Clerks of Courts, and such as the Council may provide.

May issue fee bills.

He shall have the same power to issue fee bills as Clerks of the Courts, except his fees shall be considered due so soon as the services are rendered.

May take acknowledgment of deeds, etc.

SEC. 9. The Mayor of said city shall have the same power and authority to take the acknowledgments of deeds and powers of attorney, and to take the privy examinations of *femes covert*, and certify the same, that the Clerks of the several county Courts have within this Commonwealth; and his certificate shall

Fees, etc.

authorize the recording thereof, in like manner; and he shall have and be entitled to receive a fee of fifty cents for each certificate so made; he shall also have

May examine witnesses, etc.

power and authority to examine witnesses under dedimusses from any courts, whether of this or any of the United States, or foreign country, and shall be entitled

Fees, etc.

to receive a fee of one dollar for each witness examined. And in all cases where he shall affix the seal of the corporation to any document by request, he shall be entitled to receive the sum of fifty cents.

May take depositions.

He shall also have power and authority to take depositions in said city in all other cases where Justices of the Peace are now authorized to take the same: *Provided*, that said Mayor, for the performance of such duties, and the exercise of such powers as come within the jurisdiction of the Justices of the Peace for the county of Kenton, shall be entitled to demand and

Fees, etc.

receive the same fees, and no more, as are allowed by law to Justices of the Peace, except where they are hereinafter differently provided for; and he shall in no case demand or have any fee for any service rendered said city, except the annual salary herein

May issue fee bills.

provided for. And he shall have the right to issue fee bills, and collect them in like manner as Justices

May take recognizances of witnesses, etc.

of the Peace now have. The said Mayor's Court shall have the power to take recognizances for appearance in said court on any day named therein, in all

cases cognizable in said Court; as also recognizances in cases of felony, which shall be for appearance in the Circuit Court. Recognizances to keep the peace and be of good behavior shall be for one year. Forfeitures for any recognizances for appearance in said Court may be enforced in said Court, and the penalty collected in the same manner as in Circuit Courts.

COMMON SCHOOLS.

ARTICLE SEVEN.

Common Schools to be established, etc.

SECTION 1. The city of Covington is hereby authorized and directed to establish, support and maintain a system of Common Schools; and the Council is hereby empowered to provide for the erection of as many school-houses, and the maintenance of as many schools as may be necessary to afford to all the white children in said city the advantages of a Common School education.

Council to divide city into school districts, build school houses, etc.

SEC. 2. It shall be the duty of the Council to divide the city into school districts, in each of which districts there shall be as many school-houses as may be necessary to accommodate all the children in said district; and it shall be competent for the Council to alter the same, without reference to the boundaries of wards, as may best advance the interest of said schools.

Shall fix commencement and end of scholastic year.

SEC. 3. The Council shall fix, by ordinance, the commencement and termination of the current year for said schools, which shall be the same throughout all the schools in the city; and the Council shall appoint from their own body a committee, whose duty it shall be, from time to time, to visit said schools, and attend all examinations thereof, which examination shall take place at the close of the current year.

Schools to be equally free to all.

SEC. 4. The Common Schools of each District shall, at all times, be equally free and accessible to all white children who reside in said district, of the ages prescribed by the acts of the General Assembly of Kentucky, in such respect made and provided.

Organization of sch'l Trustees.

SEC. 5. The School Trustees shall organize by electing one of their members chairman, who shall preside at the meetings of the Board; whose duty it shall be to sign the minutes and orders. The City

Clerk shall attend the meeting of the Board, record their proceedings and attest their orders, and carefully preserve their records and papers in his office.

Trustees to employ teachers, etc.

The Trustees shall have power to employ teachers and discharge them at pleasure; provide for, regulate and manage the schools, and appropriate money to defray the expenses of the same out of the school fund. Nevertheless, the said schools shall be subject to such control as the Council shall, by ordinance, prescribe.

Council may appoint board of examiners to examine teachers, etc.

SEC. 6. The Council shall have power to appoint a Board of Examiners, to examine teachers applying to be employed in said schools; and shall, by ordinance, prescribe their duties. No person shall be employed as teacher in said schools until he or she shall have first obtained, from the Board of Examiners, a certificate of his or her qualifications to instruct in such branches as they may propose or be required to teach.

Branches to be taught.

SEC. 7. The usual branches of a common English education shall only be taught in said schools; and whenever it may become necessary and proper to establish a central or high school, the Board of Trustees may do so; and in said high school such languages and branches of a liberal education may be taught as the Trustees may prescribe. No pupil shall be admitted into the high school except he or she shall have attended the common school, and passed such examination as shall satisfy the Trustees of his or her qualifications therefor.

May establish a high school.

School tax fixed.

SEC. 8. That for the permanent fund for schools in said city, a tax of one mill upon the dollar of the valuation of the taxable property in said city, to be levied and collected with the revenue tax and capitation tax; and the fund received annually from the State, and such other sources as the Council may designate, shall be and is hereby irrevocably set apart and dedicated for school purposes; and the Treasurer shall keep a separate account therefor, and only pay it out upon the order of the School Trustees.

PRESIDENT OF THE COUNCIL.

ARTICLE EIGHT.

SECTION 1. The President of the Council shall be the chief executive of the city; and it shall be his duty to take care that the by-laws and ordinances of the city be duly executed and enforced.

Shall keep city seal, etc.

SEC. 2. He shall keep the public seal of the city, and shall, from time to time, communicate to the Council such information, and recommend such measures as in his opinion may tend to the improvement of the finances, police, health, cleanliness, comfort, ornament and security of said city.

Shall preside at meetings of board, sign journal, orders, etc.

SEC. 3. He shall preside at all deliberations of the Board, sign the journal of their proceedings, all orders, bonds, contracts and conveyances on behalf said city when directed by the Council. And during the absence or inability of the President, the Council shall appoint one of their own body President, *pro tempore*, who shall perform the duties of President until the President shall resume his office.

MISCELLANEOUS PROVISIONS.

ARTICLE NINE.

Validity of ordinances—how tried.

SECTION 1. The validity of the ordinances shall be tried by a writ of prohibition from the Circuit Court, which may be granted by any Circuit Judge, out of term, or by the court having jurisdiction over said city; and each party shall have the right to appeal or prosecute a writ of error to the Court of Appeals.

President and councilmen and officers not to become interested in any contract, etc.

SEC. 2. If the President or any member of the Council shall become interested, directly or indirectly, in any contract with the city, his or their seat shall be thereby vacated, and shall be so declared by the Council, and entered on their journal; and the contract shall be held and considered a nullity; and in the event of the City Cerk, Treasurer, City Attorney, or Street Commissioner being so interested, he shall forthwith be removed from office, and the contract shall be held and considered void.

Council may remit fines, etc.

SEC. 3. The Council may remit fines and penalties and forfeitures for good cause shown, which may be

imposed, adjudged or assessed, or incurred against or by any person or persons, or any part thereof, at their discretion: *Provided*, this power shall not extend to the remissions only of such interest as the city has therein: *Provided, further*, that three-fourths of the members of the Council shall vote therefor.

No money to be drawn from Treasury until appropriated.

No appropriation unless money is in the Treasury.

SEC. 4. No money shall be drawn from the Treasury, unless first appropriated by the Council, except out of the school fund; in which case it shall first be appropriated by the School Trustees. And no appropriation of money shall be made, to be paid out of the Treasury, unless the money shall actually be in the Treasury to meet the draft. And if any appropriation shall be made, and there shall not be money in the Treasury at the time of making said appropriation, to pay the same, the members of the Council voting therefor shall be individually liable, to any party injured, for the amount of damage sustained in consequence thereof.

Councilmen may be paid for services.

SEC. 5. A reasonable compensation may be made to the members of the Council, which shall be equal, except as to the President, and payable quarterly out of the Treasury: *Provided*, no Board shall fix their own salary, who are in office when the ordinance allowing the same shall pass.

Bonds to be required of officers.

SEC. 6. Bonds may be required from such officers as the Council shall direct, and all shall be payable to the city, except that of the Marshal, which shall be made payable to the Commonwealth; and suits may be prosecuted for a breach of the conditions of said bonds in any court of competent jurisdiction.

Contracts for work not to exceed revenue.

SEC. 7. The contracts made for work to be done, or improvements to be made in any year, shall not exceed in amount the revenue and available means of that year, over and above the ordinary disbursements, unless by the concurrence of three-fourths of the members of the Council.

Charter—how to be amended.

SEC. 8. Whenever it shall become necessary to amend this charter, it shall be lawful for the Council to propose the amendments, and appoint a day for a vote to be taken by the qualified voters of said city; and if a majority of the votes cast shall be in favor of the proposed amendment, the same shall be presented to, and by the consent of the Legislature shall become

a law; or the Council may call a convention, who shall be elected the same as the members of the Council, the same numbers, and possessed of the same qualifications; who, when assembled in convention, shall have authority to revise and amend the charter or adopt a new charter, which must, however, receive the sanction of the Legislature.

Officers to remain in office until new election in 1851.

SEC. 9. The officers of said city in office at the time of the passage of this act, shal lcontinue in office until the charter election in January, 1851. The Mayor of said city shall be appointed as other judicial officers, until the constitution shall otherwise provide, when he shall be elected as provided in the third section of article one of this charter.

Approved March 2, 1850.

AN ACT fixing the time for holding the charter election for the city of Covington.

Election of Mayor, etc., when held.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the election for Mayor and other officers of the city of Covington, specified in the charter of said city, shall be held on the first Saturday in January, 1851, and at the same time each year thereafter, until otherwise provided by law.

Approved December 18, 1850.

AN ACT to amend the charter of the Covington and Lexington Railroad Company.

City of Covington may subscribe stock.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in addition to the bonds heretofore authorized by law to be issued by the city of Covington, to pay for stock subscribed in the Covington and Lexington Railroad Company, said city is hereby authorized to issue bonds to an amount not exceeding two hundred thousand dollars, payable to said railroad company, to be due and payable within thirty years from the time they shall be issued; to bear interest at the rate of six per cent. per annum, payable semi-annually, and to be transferable by proper assignment thereon by said railroad company. But before any such bonds shall be issued, the City

Bonds to bear interest.

Council shall, in such manner as it shall deem most advisable, ascertain clearly that a majority of the qualified voters of said city are in favor of the issuing of said bonds, and of subscribing their amount as capital stock in said railroad company.

SEC. 2. That the said railroad company may receive the bonds of said city of Covington, or of any other city, county or corporation, in payment of stock subscribed for by such city, county, or corporation.

SEC. 3. That until dividends are declared upon the capital stock of said railroad company, all payments on subscriptions of capital stock already made, or hereafter made, shall bear interest at the rate of six per cent. per annum, and said railroad company shall liquidate the same by issuing to the party entitled to such interest an equivalent amount of capital stock in said company.

Interest to be allowed on payment of stock.

SEC. 4. That on the first day of January next, after the first declaration of dividends on the capital stock of said railroad company, and on every day of January thereafter, it shall be the duty of the President and Directors of said company to pay into the Treasury of the Commonwealth a tax on each one hundred dollars' worth of stock in said railroad company equivalent to the rate of tax on each one hundred dollars' worth of property for State revenue, and no more, and resident stockholders shall not list their stock in said company for revenue tax, nor be liable to payment of tax on the same in any other mode whatever.

Further regulations.

Approved March 3, 1851.

AN ACT to amend the charter of the city of Covington.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the records of the proceedings of the City Council of Covington, and President and Common Council of the same, and the Trustees of the town of Covington, and all books or papers kept or filed in the office of the Clerk of said city that are on file at this time, are hereby declared to be public records, and copies thereof made out by the City Clerk shall be received and considered as

Records of City Council made evidence in Courts.

evidence in all courts and places where the original would be evidence. That the City Clerk shall be allowed the same fees for copies, orders, records, or papers, as clerks of the Circuit Court of this Commonwealth, and to be paid by those ordering copies; for which he may issue fee bills as Circuit Court clerks, or retain the copies till payment therefor: *Provided*, he shall not charge the city for copies ordered by the Council, or any officer or agent authorized to obtain copies for the use of the city.

Fines not paid to be worked out.

SEC. 2. That in all cases where persons are convicted before the Mayor or any Justice of the Peace in said city, of any offense where a fine shall be imposed and not paid, the offender shall be confined in the city jail and work-house, and made to perform such work as the Council shall, by ordinance, prescribe, until the fine and costs shall be discharged, at the rate of fifty cents per day.

SEC. 3. That so much of the city charter as requires members of the Council to be freeholders of the city, be and the same is hereby repealed.

SEC. 4. That, hereafter, in taking the enumeration of children in said city, for school purposes, the children between the ages of five and eighteen years be returned, and the school fund shall be distributed to the city accordingly: *Provided, however*, that the fund so distributed shall be that raised by the city of Covington only, and not that appropriated by this Commonwealth.

Approved March 20, 1851.

AN ACT to authorize the Council of the city of Covington to create two additional voting precincts in said city,

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the City Council of Covington be, and are hereby authorized by ordinance to create one additional voting precinct in each magistrates' and constables' district in said city, and designate the bounds of said precincts, and the house or place of voting, and publish the same in the public journals of said city at least ten days prior to the

election for the votes to be taken at the county and State elections.

SEC. 2. That any person who shall vote out of his said district, as laid off by the authority aforesaid, shall be liable to the penalties prescribed against such by the general laws for voting out of their own district.

Approved March 22, 1851.

Part of THE ACT incorporating the Newport and Covington Bridge Company.

Management of affairs.

SEC. 3. The entire business and management of the corporation shall be under the control of said board of President and Directors, or a majority of them; and they shall make such calls on the shareholders, payable at such periods and places as they may deem proper, with such conditions of forfeiture for non-compliance, not exceeding the amount of stock delinquent, as they may deem right and proper. The said persons, or a majority of them, or the said Directors, or a majority of them, may, from time to time, open books to receive subscriptions of stock, until the whole amount thereof be subscribed: *Provided*, that the cities of Newport and Covington, or either of them, the other refusing, shall have power to subscribe the whole or any part of said capital stock, within ninety days after the books, as aforesaid, are thus opened, to the exclusion of every individual or individuals, or other corporation; and the board of Common Council of said cities are hereby authorized and empowered to borrow any sum or sums of money that may be deemed necessary for that purpose, in such manner and at such times as may be deemed best, and to issue bonds therefor at a rate of interest not exceeding ten per centum per annum, and pledge the stock of said city or cities, in said bridge or bridges, for the payment of the principal and interest of said bonds; but after the expiration of ninety days after said books shall have been opened, as aforesaid, the whole or any part of said capital stock, which has not been subscribed by said cities, may be subscribed by individuals or corporations. The said board may

Newport and Covington may take the whole stock; may borrow money.

appoint a clerk, treasurer, and such other officers and agents as they may deem needful, and allow them such compensation as they may deem proper, and make such rules and regulations, in order to enforce a faithful discharge of their duties, as to them may seem fit. The said board may make contracts with any person or corporation touching the business or affairs of the company, and do all things needful for the erection and completion of said bridge or bridges. They may require and take such bond or other security, in their corporate name, from any person or persons they may so appoint or contract with; and in the event of the death, resignation, or vacancy of a Director, or of the President, said board may supply the vacancy.

Directors may appoint other officers, and take their bonds.

Vacancy—how filled.

SEC. 7. If the owners of any land necessary for the abutments, the site, or any avenue leading thereto, so as to connect the said bridge or bridges with the streets of said cities, on either side of said river, shall object to sell such land, at such price as the board may think reasonable, it shall be lawful for said board to apply to the Mayor of the city of Newport, should the land be situated in the city of Newport, or to the Mayor of the city of Covington, if situated in the city of Covington, for a writ of *ad quod damnum* to issue, and which may be issued, directed to the Marshal of the city in which the land may be situated, requiring him to summon a jury of freeholders of the city, who shall be disinterested; and said Marshal shall have power to supply, by summons, other persons to act as jurors, if needed, qualified as aforesaid; and the said jurors shall be sworn by the said Marshal, well and truly to inquire the value of the land to be condemned, and the damage thereby resulting to the owner thereof, according to the facts and evidence submitted to them by the parties. The verdict of the jury, when rendered, signed and sealed by said jury, shall be forthwith returned to said Mayor, and if no legal and valid exception be taken thereto, the same shall be entered of record by him; and if, at any time within one year thereafter, the amount so assessed shall be paid, the title to the land applied for and thus condemned shall vest in said company; and the Mayor aforesaid, who shall have issued the writ,

Condemnation of land.

shall execute a deed of conveyance thereof, which shall pass the legal title.

Said cities may buy out stock after ten years.

SEC. 8. The cities of Newport and Covington, or either of them, the other refusing to join, may, at any time after ten years, be at liberty to purchase the said bridge or bridges, by paying the original cost thereof, with six per centum interest thereon, should the stock in said company be subscribed, in part or in whole, by individuals or other corporations than said cities.

Approved January 1, 1852.

AN ACT for the benefit of the Covington and Lexington Railroad Company.

Company may borrow money.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Covington and Lexington Railroad Company may borrow money on their credit to the amount of two hundred thousand dollars, in addition to the amount heretofore authorized, at any rate of interest, not exceeding seven per cent. per annum; and the said company may issue such evidences of such indebtedness as may be deemed proper, and secure the same by giving a lien upon the property and assets of the company; and the said bonds or evidences of debt the said company may sell at such rate of discount as they may choose, and at such places as to them may seem advisable.

City of Covington to indorse bonds.

SEC. 2. The city of Covington is hereby authorized to indorse the bonds of said company to an amount not exceeding two hundred thousand dollars; may loan the credit of the city to said company to that amount in any other manner that said city shall determine: *Provided*, the qualified voters of said city shall consent to the same, either by petition or voting, at such times and places as the Council may prescribe: and a majority of the votes cast shall be sufficient. Should any cause prevent a vote from being taken at the time prescribed, or should the qualified voters fail to give their assent, then the Council may direct another vote to be taken.

Approved January 3, 1852.

AN ACT to amend the charter of the city of Covington.

School fund to be kept apart.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the school funds of said city shall be collected and kept distinct from the general revenue, and shall not be paid on orders allowed by the City Council of Covington, but only in and upon orders of the school Trustees.

Arrangement of school districts.

SEC. 2. That the Trustees shall have power to arrange the boundaries of school districts and alter the same at pleasure; also to appoint the time of commencement and termination of sessions of the schools, and examinations, and time and duration of vacations.

Superintendent of public schools.

SEC. 3. That the Board of Trustees shall have power and authority to select some suitable person as Superintendent of the common schools in said city, whose duty shall be prescribed by the Board, and allowed not exceeding three hundred dollars in any one year.

Duty of Council.

SEC. 4. That when the books of assessment have been returned, the Council shall refer them to the committee of Ways and Means or other appropriate committee, who shall constitute a board of equalization, and who shall have power to equalize the assessments, and assess property that has been omitted by the Assessor, and make such abatement from the allowance to the Assessor for such omission as to them shall be deemed proper. The Assessor shall be allowed eight cents per list for each list taken by him, and forfeit twenty-five cents per list for each one omitted, subject to the regulatory power aforesaid; the said action of the committee may be revised, corrected, amended, or recommitted as the Council shall deem advisable. After the confirmation of the report by the Council, amended or not, there shall be no further change in the assessment as to valuation made; that if at any time after the confirmation aforesaid any officer of the city shall discover or be informed of any property liable to taxation that has been omitted, he or they shall report the same to the City Clerk, who shall assess the same and deliver the bill therefor to the Treasurer or Collector for collection, who shall have the same power to collect the same as if assessed

Assessed property may be equalized.

Assessor's pay.

City Clerk to assess property omitted.

by the Assessor, and be liable in the same manner therefor.

Mayor *pro tem.* Powers and duties.

SEC. 5. That the City Council shall have power to appoint some member of their body or other person to act as Mayor *pro tem.* of said city, during the absence or inability of the Mayor to act, or who shall, from any cause, be prevented from officiating; and when so acting, the Mayor *pro tem.* shall have and possess all the power and authority of the Mayor, and shall receive the usual fees for the business done, and such proportion of the Mayor's annual salary as the time of service bears to the year.

Saving to infants, etc.

SEC. 6. That infants, *femes covert* and persons of unsound mind shall have one year from the time of the removal of their several disabilities to redeem their property which shall have been sold for taxes.

Non-resident purchasers.

That when the purchaser at any tax sale shall not be a resident of the city or in the city, and can not be found by the owner when he wishes to redeem his or her property, such owner may pay the money into the city treasury in redemption thereof, for which the Treasurer shall give a receipt, and shall pay over such money to the purchaser when called for; the said payment shall as effectually redeem the property from such sale as if paid to the purchaser: *Provided*, the payment be made within the time and at the same rates per cent. of interest now allowed for the redemption of property sold for taxes.

Mayor may grant injunctions, etc.

SEC. 7. That the Mayor of said city shall have and possess the same power to grant injunctions and attachments that Judges of the Circuit and County Courts have, and shall be allowed fifty cents for each injunction or attachment granted, collectable as other fees are.

Approved January 7, 1852.

AN ACT to amend the charter of the city of Covington.

Time allowed Assessor to make return.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Assessor of the city of Covington shall have until the 15th of April in each year to make return of his book of assessment, and the tax bills shall remain in the hands

of the Treasurer of the city for collection until the first day in July in each year, instead of the first day of June, as heretofore.

Power to city to indorse bonds of L. & C. R. R. Co.

SEC. 2. The City Council shall have power to lend the credit of said city to the Louisville and Covington Railroad Company to the amount of five hundred thousand dollars, by indorsing the bonds of said company to that amount, upon such reasonable conditions as may be agreed on by the parties; but such indorsement shall not be made until after the question of indorsement shall have been submitted to the qualified voters of the city, and voted for by a majority of those voting.

All city officers to be elected by the people.

SEC. 3. That hereafter all of the officers of said city, now elective by the City Council, shall be elected by the qualified voters of the city, at the regular annual election in January of every year; and the City Council shall by ordinance fix the time of service, prescribe the duties, and fix the compensation of all the officers whose term of service, duties and compensation have not been fixed by the charter of the city; and when vacancies shall occur in any of the offices which have not heretofore been filled by popular vote, the City Council shall fill such vacancies until the regular January election next succeeding the happening thereof, at which time all vacancies then existing shall be filled by popular vote, and the City Council shall make a proper order for filling vacancies at the regular election as far as the board may be able to anticipate them.

To levy a tax for gas.

SEC. 4. The City Council shall have power to levy a tax upon property on the blocks which are or may be lighted by the street lamps with gas to pay the expense of the light.

Approved March 9, 1854.

AN ACT to amend the county levy of Kenton County.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all claims for holding coroner's inquests in the city of Covington, and claims of officers of elections for holding elections in said city, shall hereafter be paid by said city,

when satisfactorily proven to the City Council, and shall not be allowed out of the county levy of Kenton county.

SEC. 2. The Justices of the Peace for Kenton county who reside in the city, shall not be permitted to sit at the Court of Claims, in the county of Kenton.

Approved February 5, 1856.

AN ACT to amend the charter of the city of Covington.

WHEREAS, it is represented to the present General Assembly, that the city of Covington owes a large funded debt, the interest upon which is payable semi-annually, and a considerable amount of said interest has already become due and the larger portion thereof been met by the issue and sale of income bonds of said city, to mature a part of them in 1856, a part in 1857, and the residue in 1858, and further portion of said interest already due and to become due has been paid or secured by the pledge of the credit of private individuals, and the revenue of said city derivable from all available sources under existing laws is insufficient to pay the interest on said funded debt in addition to the ordinary expenses of said city; and, whereas, the legal voters of said city of Covington, by a vote polled on the eleventh day of November, 1854, authorized the levy of a special tax of twenty-five cents on each one hundred dollars valuation of taxable property in said city to pay said interest; therefore,

Council authorized to levy a tax to pay interest on funded debt for six years.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the City Council of the said city of Covington be, and they are hereby authorized and empowered by ordinance to levy, and cause to be collected in the same manner as other taxes, a special tax in addition to the other taxes already provided for, of twenty-five cents on every one hundred dollars valuation of taxable property in said city, for a period of six years, and the money arising from such additional tax shall, under the direction and control of said City Council, be appropriated to the payment of the interest on the funded

debt of said city and the income bonds sold to pay the same, and to the reimbursement of such persons as may have paid any portion of said interest, and the payment of any obligations whereby the credit of private individuals may have been pledged for the same, in such order and manner as the said City Council shall deem proper, and by ordinance provide. But no portion of the proceeds of said special tax shall be appropriated to any other purpose, until the whole of said interest and all obligations incurred for or on account of the same shall have been fully paid off and discharged.

Taxes to be paid on 15th June.

SEC. 2. *Be it further enacted*, That hereafter the city taxes shall be payable to the City Treasurer on or before the 15th of June of each year, instead of the first of July, after which period there shall be added fifteen per centum to the taxes contained in the bills then unpaid, and within five days after said 15th day of June the delinquent tax bills shall be returned to the Clerk, and proceeded with agreeably to the provisions of the charter now in force.

Approved February 9, 1856.

AN ACT to amend the charter of the Covington and Cincinnati Bridge Company.

Increase of capital stock.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act of Assembly, approved February, 1846, incorporating the Covington and Cincinnati Bridge Company, be and the same is hereby so amended as to increase the capital stock of said company, making the capital stock seven hundred thousand dollars, divided into shares of one hundred dollars each.

City authorized to take stock.

SEC. 2. The said company may sell one hundred thousand dollars of its capital stock to the city of Covington, to be subscribed and paid as may be agreed by said company and said city, and in payment of said one hundred thousand dollars, the said city may sell her bonds to the amount of one hundred thousand dollars, the amount of every bond, and the time and places of the payment of principal and interest to be fixed by said city; and the city is hereby

To levy tax.

authorized to levy a tax of ten cents upon every one hundred dollars worth of taxable property therein in 1856 and 1857, for the purpose of paying the interest on such bonds.

Approved February 25, 1856.

AN ACT to amend the charter of the city of Covington.

City Council may assess and collect taxes on all species of property.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That article 5, title "Taxation," section 1st, of the charter of the city of Covington, be so amended as to read thus: The City Council shall have power to assess and collect taxes on such real estate in said city, and on such personal estate, slaves, *choses in action*, and moneys within the city, or belonging to the inhabitants of said city, as they may designate, and such as now are, or from time to time may be, taxable by the laws of this Commonwealth, not exceeding, etc.

May impose taxes on *choses in action*, etc., according to assessment for 6 years.

SEC. 2. Whereas, doubts exist as to whether or not certain assessments and taxes upon certain articles of property, money, rights, and *choses in action*, which have been made and collected by the city of Covington, were authorized by the charter of said city, therefore, *Be it enacted*, That upon and in conformity with the assessments made within six years last past, the City Council of said city may impose a tax upon all *choses in action* and moneys authorized to be taxed by the foregoing section, not exceeding the taxes heretofore assessed on the same for the last six years, and collect the same from all persons who have failed to pay the taxes heretofore imposed, or who having paid may recover back said taxes; but payments made and not recovered back, shall operate as payments of the taxes hereby authorized to be imposed.

Actions, when to be prosecuted.

SEC. 3. That all actions to recover from said city the amount of taxes which have been or may be illegally or erroneously collected, shall be prosecuted within three months after the cause of action arose, and not afterward: but this act shall not apply to causes of action now existing until the first day of January, 1858.

SEC. 4. That this act, except as provided in the third section, shall take effect from its passage.

Approved January 1, 1858.

AN ACT to amend an act, entitled an act to amend the laws relating to the county levy of Kenton county, approved February 5th, 1856.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Justices of the Peace, the Mayor of the city of Covington, the County Judge, and the Circuit Court, when sitting in Covington, shall commit to the jail in said city, all offenders against the laws of this Commonwealth, and all persons charged with violating said laws, where the offense was committed, or charged to have been committed, in said city; and all claims of every kind, for officers' fees, physicians' services, or other claims, so originating, in reference to such persons, which now are, or heretofore were paid out of the county levy of Kenton county, shall hereafter be paid by said city, when satisfactorily proven to the City Council, and shall not be allowed out of the county levy of Kenton county.

Approved February 2, 1858.

AN ACT to amend the charter of the Covington and Cincinnati Bridge Company.

City of Covington may levy tax to pay subscription, etc.

SECTION 3. That the city of Covington shall have and is hereby vested with full power and authority to levy and impose a tax upon the taxable property of the city, and upon whatever else is taxable by the charter of said city, to produce an amount sufficient to make good the loss or discount at which the ninety bonds of said city of one thousand dollars ($1,000) each, taken by said company, may be sold, said bonds having been passed to said company at par value, in payment of $90,000 of said city's stock subscription: *Provided*, that this amount shall not exceed the actual loss which the company may sustain in disposing of said bonds: *And, provided*, that in no event, shall more than thirty-one thousand five hundred dollars

($31,500) be paid to said company by said city, on account of such loss or discount; also, to levy and impose a tax for the payment of the interest on said bonds, until the dividends on the city's stock shall pay the same; or said city may levy and impose a tax sufficient to produce ninety thousand dollars ($90,000), and therewith redeem the bonds so given to the said company: *Provided*, that no tax shall be levied for the purpose of redeeming said bonds, nor for the payment of said $31,500, nor any part thereof, exceeding one per cent. per annum, nor until the question of levying such tax shall be submitted to the decision of the qualified voters of the city, at an election held for that purpose, which election may be ordered and notice thereof be given by the City Council of said city whenever, and in what manner soever it may deem it expedient to do so. If the majority of the votes cast at such election be in favor of said tax, it shall be levied. That in case it shall be decided to levy a tax for the purpose of redeeming said bonds, then the tax-payers shall have stock of said company issued to them for the amount of the tax paid, when certificates or receipts for the payment of such tax shall be presented amounting to a share or shares of stock. The tax receipts shall be transferable by assignment, and when assigned the holders thereof shall have all the rights which the original holders possessed; and such tax receipts shall entitle the holders thereof to *pro rata* dividends, though the amount or amounts thereof be less than a share of stock: *Provided*, that the stock issued to said city, in consideration of the said ninety bonds, shall be returned to said company as the bonds shall be redeemed or paid by the tax provided for in this section. Said City Council shall have the same power and authority to collect the taxes which may be levied and imposed under authority of this amendment, for the payment of the interest on said bonds, and to make good any loss said company may sustain in disposing of the same, not exceeding the $31,500 above stated, or to provide the means to redeem said ninety bonds, as it now has to collect the ordinary revenue tax of the city.

Tax-payers to have stock in company.

Approved February 6, 1858.

AN ACT to regulate the tenure of Common School property in the city of Covington.

WHEREAS, It has been represented to the General Assembly that certain lots of ground and other property situated in the city of Covington, Kentucky, have been purchased out of moneys belonging to the Common School Fund of said city, but title thereto has been taken to said city without any limitation of the same that said property shall be held for the use and benefit of the Common Schools; and the moneys with which said property was purchased having been inviolably dedicated to the use and benefit of the Common Schools of Covington; Therefore,

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the city of Covington, through its proper authorities, is required, within ninety days after the passage of this act, to convey to the Trustees of the Common Schools of said city, all property, as well as any interest therein, which has been purchased out of moneys belonging to the Common School Fund of said city; and said Trustees are required, so soon as such conveyance has been made, to re-convey the property mentioned in this act to the city of Covington, to be held for the use and benefit of the Common Schools of said city, and for no other purpose.

SEC. 2. This act shall take effect from and after its passage.

Approved February 15, 1858.

AN ACT to amend the charter of the city of Covington.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the corporate limits of the city of Covington be, and they are hereby extended as follows: The line running along the Covington and Lexington turnpike shall extend to a point one hundred feet south of the south line of Fifteenth street, if extended; and thence eastwardly in a straight line to the point at which the present boundary strikes Willow street; and the territory hereby added to said city shall, until changed by the proper

Corporate limits extended.

authority, constitute a part of the present ward of said city adjoining this extension of territory.

May designate more than one voting place in each ward.

SEC. 2. The City Council shall designate more than one voting place in any ward, and prescribe the boundaries of the precinct for each voting place, whenever a majority of the voters of such ward shall petition the Council to do so; and any voter who shall vote out of his precinct so established, shall be liable to the penalties denounced against illegal voting: *Provided*, no change shall be made within ten days next preceding an election. The Council shall rearrange and equalize the wards, whenever it is made to appear to them that the white population of the ward having the lowest number in population in as much as one-fourth less than the white population of the ward having the highest number in population; and in such rearrangement, or whenever it shall be deemed necessary, the Council shall have power to make a new ward or wards. The wards in their arrangement shall always be made as equal in population as practicable. An enumeration of the population of each ward shall be made in the year 1860, and every fifth year thereafter, by the assessor of the city.

May rearrange wards.

An enumeration of population to be made.

To vote by ballot.

SEC. 3. In all elections under the city charter the votes shall be given by ballot; and the ballot-boxes shall be provided by the City Council.

May assess and collect taxes for specific purposes.

SEC. 4. The City Council shall have power, from time to time, to assess and collect taxes for specific purposes, and for limited periods of time, upon whatever now is, or from time to time may be, taxable under this charter for revenue purposes, for such a sum on each one hundred dollars of valuation, and for such a period of time as the Council may designate: *Provided*, that no tax shall be levied under this section, unless a majority of the qualified voters of said city, at a general election, either city or State, shall have been cast in favor of the same, in such form as the same may be prescribed and submitted by the City Council: *And, provided further*, that no such special tax shall exceed forty cents in one year on each one hundred dollars of valuation.

SEC. 5. That any lien now existing or that may hereafter exist on any lot or lots, or part of lot or lots

of ground by virtue of the city charter of said city of Covington, to secure the payment of the tax levied, or that may be hereafter levied to pay for improvements done by order of the City Council, in accordance with said charter, on the streets or sidewalks, or for the construction of new streets as now provided, may be enforced by a suit in equity, in the Kenton Circuit Court, by the contractor or any claimant under him, who shall exhibit a copy of the ordinance or order of said Council directing said work to be done, a copy of the proceeding accepting said work by said Council, and a copy of the ordinance levying the tax on the property fronting or abutting said street so improved with sidewalk, or repaired or constructed, which proceedings, shown by said copies, shall be *prima facie* evidence in favor of the claim of the contractor or any one claiming under him; it shall be lawful for said court to correct errors, if any, in the assessment, and decree an enforcement of the lien, and a sale of so much of the property of the parties defendant as will be sufficient to pay such assessment and costs. The Master Commissioner, before making any sale under a proceeding under this act, shall cause the property ordered to be sold, to be appraised in the same manner as land sold under execution by a sheriff is by law required to be appraised; and if such part as he may sell shall be sold for less than two-thirds of the appraised value, it shall be liable and subject to redemption in like manner, within one year after the day of sale, in all respects as provided for in case of sheriff's sales, excepting the court shall, if the same has not been redeemed by its order, cause a deed to be made to the purchaser: *Provided, however*, that nothing in this act shall authorize such proceeding for any claim of a less sum than twenty-five dollars, nor shall this act prevent the enforcement of the lien as now provided by said charter.

Liens existing on lots for taxes may be enforced in Kenton Circuit Court.

SEC. 6. That the Board of School Trustees are hereby allowed to pay a Superintendent of the Common Schools in said city any sum they may deem proper, not exceeding one thousand dollars for one year; said Superintendent shall not, while superintending, teach any school.

School Trustees may pay a superintendent.

SEC. 7. That all laws and parts of laws in conflict herewith, are hereby repealed.

SEC. 8. That this act shall take effect from and after its passage.

Approved March 1, 1860.

AN ACT to amend the charter of the city of Covington.

May pass ordinance allowing fees to jailor.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the charter of the city of Covington be amended, and the Council of said city is hereby authorized to pass such ordinance as shall allow fees to the marshal and jailor in said city, in cases of arrest and confinement for misdemeanor in the said city, as in their judgment may be deemed proper: *Provided, however*, nothing herein shall be construed to interfere with the fees now allowed by law to such officers.

SEC. 2. This act shall take effect from and after its passage.

Approved October 4, 1861.

AN ACT to amend the charter of the city of Covington.

WHEREAS, It is represented to this General Assembly that the city of Covington is bound, as indorser or guarantor, on two hundred thousand dollars of the bonds of the Covington and Lexington Railroad Company, and accumulated interest thereon, amounting, at the present time, to about sixty thousand dollars; and that the State Courts and the United States District Court have decided that the city is justly and legally bound for the payment of the principal and interest of said bonds; and that the revenue of said city, derivable from all sources under existing laws, is insufficient to pay the accumulated and accruing interest on said debt, in addition to the ordinary expenses and other liabilities of said city—therefore,

May levy and collect additional tax to pay indebtedness of city;

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the City Council of said city be and they are hereby authorized and empowered to levy and cause to be collected, in the

same manner as other taxes, in addition to the taxes already provided for, a tax of fifty cents on every one hundred dollars valuation of taxable property in said city, annually, for a period of four years; and the money arising from such additional tax, or so much thereof as shall be necessary, shall, under the direction and control of said City Council, be appropriated to the payment of the interest due and maturing on the bonds of the Covington and Lexington Railroad Company, indorsed by said city. And at the expiration of the four years the tax herein authorized to be levied and collected, for the purpose above named, shall be reduced by said City Council to an amount not exceeding twenty cents on each one hundred dollars valuation of taxable property in said city, annually, for the purpose aforesaid; and at such rate may be continued as long as necessity requires it.

SEC. 2. This act to take effect from and after its passage.

Approved January 17, 1863.

AN ACT concerning the Mayor of the city of Covington.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Mayor of the city of Covington shall have concurrent jurisdiction, in the county of Kenton, with the Circuit Court Judge, in issuing, hearing, and determining writs of *habeas corpus*.

SEC. 2. This act shall take effect from its passage.

Approved February 26, 1863.

Amendment to the charter of the city of Covington.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the City Clerk, City Attorney, City Treasurer and City Engineer, hereafter elected in the city of Covington, shall hold their respective offices for the term of two years, and until their successors are elected and qualified.

Att'y, Cl'k, Treasurer & Engineer to hold their offices for 2 years.

SEC. 2. That two School Trustees shall be elected from each ward, and a President of the School Board

President and School Trustees—how elected.

from the city at large. The President elected at the January election, 1864, shall hold his office for one year, and thereafter the President of the School Board shall be elected at the same time the President of the City Council is elected, and shall hold his office for the same length of time. Of the Trustees elected at the January election, 1864, one from each ward shall hold his office for one year, and the other for two years; which of them shall serve for one year, and which for two years, shall be determined by lot in the presence of the School Board, by the President and City Clerk, or by the members themselves, from each ward at the first meeting of the School Board, after the election, so that, after the next eletion, at the annual charter election in said city, only one School Trustee shall be elected from each ward. No person shall be eligible to the office of President of the School Board until he shall have attained the age of thirty years. He shall also be a citizen of this State, and shall have been a resident of the said city for three years next preceding his election. No person shall be eligible to the office of School Trustee until he shall have attained the age of twenty-three years. He shall also be a citizen of this State, and shall have resided in said city three years, and the ward from which he may be elected three months next preceding his election.

Tenure of office.

Who shall be eligible for Pres't.

Who shall be eligible as Trustee.

Inspectors to make return of elections.

SEC. 3. The Inspectors of Elections shall make return to the School Board of the elections held for the election of President of the School Board, and of School Trustees, and said Board shall be the exclusive judges of the qualification of all the officers, candidates, and return of the Inspectors; and if from any cause the officer returned elected, shall not be deemed elected or eligible, or an election shall fail of any particular officer, the School Board shall order a new election to fill the vacancy. In all cases of special elections, ordered by the School Board, it shall appoint and pay the Inspectors of the election, and it shall pay all other expenses attending such elections, out of the School fund. Inspectors of Elections so appointed shall have the same qualifications, and they shall proceed in all respects in the same manner that Inspectors are now required to have, and to proceed,

In special elections School Board to pay Inspectors.

Inspectors—how appointed and qualification.

when appointed by the City Council, and shall be governed by the same regulations, unless others shall be prescribed by the School Board.

Time of meeting and power of President to call meetings.

SEC. 4. The Board shall fix its time and place of meeting. The President of the Board shall have power to call special meetings of the School Board; and upon written request of three Trustees, it shall be his duty to convene the Board at such time as they may designate; and upon his failure, or refusal, said three, or any other three Trustees, shall have power to convene the said Board. In the absence of the President of the Board from the city, any three members of the said Board may call a meeting of the Board; and at any meeting, should the President of the Board be absent, said Board shall appoint a President *pro tempore*, who shall have the same power as the President.

President *pro tem.* appointed.

Meetings of Board to be public—may compel the attendance of members, etc., and punish disorderly conduct.

SEC. 5. The meetings and deliberations of the said Board shall be held in some public place. It shall determine its own rules; compel the attendance of members. It may punish members for disorderly conduct, and expel a member by a vote of two-thirds of all the members elect, after five days notice, in writing, specifying the charges, and allowing him an opportunity of being heard in defense, with or without counsel, as said member may desire.

Majority to constitute a quorum.

SEC. 6. A majority of all the members, including the President, shall constitute a quorum to do business, except that it shall require a vote of two-thirds of the members present to appropriate money, and to elect a school teacher, but a majority of the Board may remove a teacher. The Board only shall have power to suspend or expel a child from school, after notice to the parent, guardian, or person having charge of the child, and a fair examination of such charge as a teacher may prefer in writing against any child. The President shall have all the powers, and shall perform all the duties heretofore had and done by the Chairman of the School Board, and such other duties as may be required of him by the Board.

May remove teacher, and expel a child.

President's powers.

Board of Examiners, how appointed.

SEC. 7. The School Board shall have power to appoint the Board of Examiners to examine teachers applying to be employed as teachers in said schools, and shall prescribe their term of office; prescribe

their duties, and remove them at pleasure. Said Examiners shall have the same qualification as to age that is herein required for Trustees. All officers of the said city shall, before entering upon the duties of their respective offices, take the oath required to be taken by the members of the City Council, and in addition thereto the said Examiners shall swear to faithfully examine all applicants for the position of teacher, accurately report their qualifications for teaching, and degrees of scholarship, without favor, affection, or partiality.

Oath of office.

Their duties.

SEC. 8. That so much of the charter of the city of Covington, as is inconsistent herewith, is hereby repealed.

SEC. 9. This act shall take effect from its passage.

Approved February —, 1864.

AN ACT to amend the charter of the city of Covington.

Streets, alleys, etc., to be improved at expense of property owners.

SECTION 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the City Council of the city of Covington shall have full power and authority to procure all the streets, alleys, market spaces and lanes in said city to be improved or repaired, in whole or in part, in any manner they may deem advisable, at the expense and cost of the owners of the property fronting the same; said Council shall have full power and authority to cause and procure all the streets, alleys, market spaces and lanes in said city, in whole or in part, to be graded, culverted, or otherwise drained, paved and curbed; or graded, curbed and MacAdamized; or to be graded, curbed and paved entirely across the street; or curbed and paved a portion of the distance across the street and MacAdamized the balance of the distance between the paved portions; or after the grading, to put upon the same, either any or all of said kinds of improvements, and to underlay either any or all of the said kinds of improvements, after the grading, with gravel or sand, or both; and to spread upon the top of either any or all of said kinds of improvements, gravel or sand, or both, and to do, or cause to be done either any or all of said kinds of improve-

ments, with bowlder or any other sort of stone, at the expense and cost of the owner of lots fronting on such streets, alleys, market spaces, public squares or grounds, or lanes; and a petition in writing to the said Council of the owner or owners of the larger part of the ground between the points to be improved, fronting on any street, alley, market space, public ground or square, or lane, shall be sufficient to authorize the said Council to contract for either any or all of the above-mentioned kinds of improvements: *Provided*, that the property fronting on any market space, public ground or square, shall be liable for the improvement in front thereof to a distance not exceeding thirty feet: *And, provided, further*, that the said Council, by a vote of all the members elect, may cause any street, alley, lane, market space, public ground or square, in said city, to be improved as aforesaid at the cost and expense of the owners of the lots or parts of lots fronting on the same, without petition or consent. The culverting and draining shall be done with and included in the cost and expense, as a part of the grading; and when the improvement ordered shall be completed, the said Council shall apportion the cost and expense thereof equally among the lot owners, according to the feet front; and a lien is hereby given on the lots or parts of lots for the same, which cost and expenses may be listed and collected, as other taxes are. by the City Collector, or by any special collector, either of whom shall have authority to sell and convey the lots and parts of lots for the same, according to such by-laws, ordinances and regulations as have been made for such, or similar purposes, by the said Council, or such as shall be made or ordained by said Council, and according to the charter of said city, and the laws for such purposes now in force, and any statement made by any collector, or master commissioner, in any bond or deed selling or conveying property sold for the payment of any of the taxes hereby imposed, or imposed by any other portions of the charter of said city, shall be *prima facie* evidence of the truth of the facts stated to have been done; but such statements may be contradicted: *Provided, further*, that the owner or owners of any lots, or part or parts of lots, sold for the payment of the

Petition of owners of a larger part of property to be improved sufficient to authorize work to be done.

Proviso.

Expense to be apportioned equally among lot holders.

Costs of improvement to be a lien on property, and to be levied and collected by City Collector as other taxes.

Lots sold, how and in what time redeemed.

costs and expenses of such improvement as aforesaid, who have not consented in writing for that purpose, shall be allowed five years in which to redeem the same, by paying to the purchaser of said lots, or lot or part of a lot, so sold as aforesaid, the purchase money with fifty per centum interest per annum, and two per centum interest on all the taxes and levies that may have subsequently accrued and been paid by the purchaser; and those who may have consented in writing, may redeem at any time within one year on payment to the purchaser of the said property the like interest: *Provided, further*, that infants, *femes covert*, and persons of unsound mind, shall have one year in which to redeem, on like terms, after their respective disabilities shall be removed: *Provided, further*, that the said Council shall, by a vote of two-thirds of the members elect, have power to pay for the grading of the streets and alleys, and for culverts, and for improving, as aforesaid, any of the market spaces, public grounds, wharf or square, out of the City Treasury. In the collection of any taxes imposed by this act, or by any other portion of the charter of said city, the city may, by direction of the said Council, through any officer of the city, purchase at any sale made for the purpose of collecting any such tax. The lien hereby created shall attach from the time the improvement is ordered to be put under contract.

Proviso in favor of infants, *femes covert*, etc.

Council may pay for grading streets, alleys, etc., out of Treasury.

City may purchase, under sale, for taxes.

At what time lien to attach.

Portion of streets and alleys to be repaired in certain cases without petition of lot owners.

When lien attaches.

Costs of repairs, etc., to be listed as other taxes.

SEC. 2. The City Council shall have power and authority to cause and procure repairs of portions of streets, alleys or lanes to be made by the street commissioner, by order of the said Council, without petition or consent, in such manner and with such materials as Council may deem best, at the expense of the owners of the lots or parts of lots on the square, including the place or places where the repairs shall be necessary, and for such work a lien shall attach upon the property along the square, including the same from the time the work is ordered to be done; the cost and expenses thereof shall be apportioned according to the feet front among the owners of the lots fronting upon the street, alley or lane of the square so repaired, and the costs and expenses accruing under the provisions of this section shall be listed with the city Street Commissioner, and he shall have

the same fees, power and authority, and shall in all respects proceed in collecting the same as the City Collector has, and is authorized to do in the preceding section to proceed in collecting assessments for improving streets, alleys, etc., and the owner of the lots or part of a lot sold shall have the same right of redemption as the owner of property sold for improving streets, etc., has in said section, and upon the same terms and conditions.

Redemption.

Stone crossings may be erected, and how paid for.

SEC. 3. The City Council shall have power and authority, with or without petition or consent of property holders or owners, to cause and procure street crossings of stone, or other material, to be made or repaired at the time improvements of streets are made, or at any other time, and add the cost and expenses thereof to the costs of the improvements, to be apportioned, according to the feet front, among the owners of the lots or parts of lots along the street crossed, to reach one-half of the distance toward the nearest streets; and when only the crossing is made, that expense shall be apportioned in the same manner, and the cost and expense thereof in both cases shall be a lien upon the lots and parts of lots extending along said distance; and the same shall be listed and collected in the same manner, and upon the same terms and conditions in every respect that any other improvement of a street can be collected, subject to the same right of sale and redemption.

May purchase steam fire-engines.

SEC. 4. The City Council shall have power and authority to purchase one or more steam fire-engines, hose carriages, horses, harness, and appurtenances to them, sufficient to fully organize an efficient fire department; and, also, power to supply a sufficient number of men to take charge of and manage the same; and to erect suitable buildings for the same, and pay the whole expense thereof as hereinafter set forth. After this department is fully organized, paid firemen only shall be exempt from service on juries, and from doing military duty in the time of peace. Council shall pass such by-laws and ordinances as may be necessary for the government and regulation of said fire department; and Council may appoint such officers for said department and for such time of service as they may deem proper, and invest the offi-

Firemen, when exempted from serving on juries and military duty.

Police power s

cers and members, or any portion of them, with such police powers as they may deem expedient to prescribe by ordinance; and that the said Council be, and they are hereby authorized and empowered to levy and cause to be collected, in the same manner as other taxes, in addition to the taxes already provided for, a tax, not exceeding ten cents on every one hundred dollars valuation of taxable property, now liable to taxation under the charter of said city, for a period of three years; and the money arising from such additional tax shall, under the direction and control of said Council, be appropriated exclusively to the purposes mentioned in this section. And at the expiration of the said three years, the said tax, for the purpose of sustaining said paid fire department, shall be reduced by said Council to a sum not exceeding five cents on each one hundred dollars valuation of taxable property above mentioned, annually; and at such rate may be continued as long as necessity requires it, exclusively for said purpose.

Council may levy and collect tax.

Tax, when reduced.

Mayor's jurisdiction.

SEC. 5. The "Mayor's Court of Covington" shall have concurrent jurisdiction with the Quarterly Courts in civil cases, where the amount in controversy, exclusive of interest and cost, shall not exceed one hundred dollars. Either party may appeal from this Court to the Circuit Court, in addition to appeals therefrom given by the present charter in civil cases, where the amount in controversy, exclusive of interest, exceeds sixteen dollars. In such cases the Mayor shall receive such fees as are allowed to Judges of County Courts, and he shall tax the same costs as are taxable by County judges in like cases. He shall be his own clerk, and the proceedings in all respects shall conform to proceedings in Quarterly Courts in like cases.

When appeal may be taken to Circuit Court.

Salary of Mayor.

SEC. 6. The Mayor shall receive an annual salary, not exceeding fifteen hundred dollars, to be fixed by the Council, payable quarterly out of the City Treasury.

Docket fee.

Defendant to be imprisoned for non-payment of costs.

SEC. 7. That hereafter in all penal cases had in the "Mayor's Court of Covington," a docket fee of one dollar shall be taxed up against the defendant, and in favor of the City Attorney, as costs; and in all cases in the said Court, in which persons are convicted, and

a fine is imposed, and the same and the costs are not paid, the defendant or defendants shall be confined in the city jail, or work-house, and made to perform such labor as the Council may by ordinance direct, until the fine and costs shall have been discharged, at the rate of fifty cents per day. No fine or costs imposed by judgment in said Court shall be replevied.

School Board incorporated.

SEC. 8. The School Board of said city shall be, and is hereby created a body corporate and politic, with perpetual succession, by the name and style of, "The School Board of the city of Covington," and in that name may contract and be contracted with, sue and be sued in all courts and places whatsoever, and may have and use a corporate seal, and the same may alter and renew at pleasure; and the said corporation shall have full and exclusive control of all the school property, and school money and funds now belonging, or that may hereafter in any wise come to belong, or appertain to the Common School Fund, or to the Common Schools of said city. All property of every nature that may at any time be owned by said corporation, and all the funds or means, that may at any time come under the control of the same, are hereby forever dedicated to the purposes of Common Schools in said city; and the title to all of the property, real and personal, and the property itself, in said city, known and used as Common School property, are hereby vested in said corporation, and the same shall forever remain free from any debt or liability of said city, and free from either city or State taxes, except for street and sidewalk purposes.

School Board may have seal.

Tenure of school property.

City Treasurer to be Treasurer of School Board.

SEC. 9. The Treasurer of said city shall also be the Treasurer of the said School Board, subject to the existing provisions of the city charter, as to his duties and liabilities.

Collector.

SEC. 10. Said corporation shall have power to appoint a collector, styled "School Board Collector," and the City Clerk shall place the delinquent school tax bills in the hands of the said collector for collection, at the same time he is now required to place delinquent tax bills in the hands of the City Collector, taking his receipt for the amount thereof, naming each delinquent, and the amount each owes, which receipt he shall deliver immediately to the said School Board.

Duties of.

Bond of. Before entering upon the discharge of the duties of his office, said Collector shall execute a bond to said corporation in such form and amount, and with such securities as said corporation may direct, which bond shall be approved by the said corporation and filed with its clerk. Upon the reception of said delinquent tax bills, the Collector shall forthwith proceed to the collection of the taxes therein specified, from the person or persons owing the same; and for that purpose he is hereby authorized and empowered to proceed in the same manner as the City Collector is authorized and empowered to do in the collection of city taxes, and each provision of the charter of said city referring to the City Collector, shall likewise refer and apply to the said Collector and confer upon him the same power, authority, and require of him the same duties, and bind upon him the same obligations in all respects as fully as though he were everywhere mentioned in said charter, and herein, instead of the City Collector, except as herein set forth. The

Term of office & compensation of. said Collector shall hold his office for such length of time, and upon such conditions and regulations as said corporation may prescribe, and for the collection of such taxes he shall receive such compensation, to be paid out of the School Fund as said corporation shall fix from time to time, and also twenty-five cents for each levy on personal property, and twenty-five cents for each certificate of sale of real estate, both of which fees for levy and certificate shall be taxed as costs,

To make returns. and added to the tax bills; said Collector shall, under oath, make full returns, at the first meeting of each month, to said corporation, of all the money collected and paid to the Treasurer. And he shall, when required, make a full settlement with said corporation, and return the uncollected tax bills to said corporation, after proceeding in the same manner and at the same time that the City Collector is required to proceed, and return uncollected tax bills, and for failure to make return and settlement to said corporation as aforesaid, he and his sureties shall be liable, and shall be proceeded against in all respects the same as is provided as to the City Collector.

Delinquent tax bills. SEC. 11. It shall be lawful for said corporation to place the delinquent list or tax bills from time to time

in the hands of the said Collector, until they shall be collected, and he shall have the same power and right to proceed to collect, levy, sell and convey the title of property sold, and he shall so proceed as the City Collector is authorized to do in similar cases.

Penalty for failing to pay over money.

SEC. 12. If said Collector shall fail to pay over to the City Treasurer, any money in his hands belonging to said corporation, for the space of ten days, after receiving the same, he and his securities, or any or either one or more of them, may be proceeded against in the same manner that the City Collector and his securities may be proceeded against for the same or a similar offense.

School Board to hold and sell real estate.

SEC. 13. Said corporation shall have power to purchase, hold, sell and convey real estate within the corporate limits of the city of Covington, such as shall be deemed necessary for school purposes, also personal property for the same purpose, and may receive donations and subscriptions in money or property to be used and applied for Common School purposes; said corporation shall have power to fix its own time and place of meeting in the City Hall, or Court House, or other public building belonging to said corporation, or to the city of Covington, provided that their meetings shall not interfere with the meetings of the City Council.

Time and place of meeting.

Powers of Council, in relation to Schools, transferred to School Board.

SEC. 14. All the power and authority heretofore conferred upon the City Council in reference to the Common Schools, or school property of said city, are hereby conferred upon the School Board of the city of Covington, and all the duties heretofore enjoined upon the City Council in relation to the same are hereby enjoined upon and required of said School Board.

Additional tax.

SEC. 15. The City Council be, and they are hereby authorized and empowered to levy, and the same they shall levy and cause to be collected in the same manner that they are authorized to collect other school tax, in addition to the school tax already provided, a tax not less than five cents, nor more than ten cents on every one hundred dollars valuation of taxable property, now liable to taxation under the charter of the city of Covington, annually, and a poll tax of two dollars, annually, on each white male over twenty-

one years of age, and upon each slave over sixteen years of age, and the money arising from such additional tax shall, under the direction and control of the said School Board, be used for the sole benefit of the Common Schools of Covington, precisely as the present school funds are required to be used, and this tax shall be included in the regular school tax bills, and the delinquent lists shall be included with the delinquent school tax bills, and in all respects be treated in the same manner and by the same officers.

Choses in action may be attached for taxes.

SEC. 16. It shall and may be lawful for the City Collector, or the School Board Collector, whenever the tax-payer fails or refuses to pay the delinquent tax due on any bills in his hands for collection, or is insolvent, to attach any *choses in action*, or debts due to said tax-payer within the city of Covington, for the payment of said taxes; he shall give to the person in whose hands said taxes shall be attached, written notice of the attachment; the notice shall also warn such person to appear before the Mayor of said city, at his office, on a day to be fixed by said Collector, not less than five days after service of the notice, to answer under oath as garnishee; and it shall be the duty of the Mayor, in a summary way, without written pleadings, to hear and determine the attachment as in cases of attachment upon a return of no property found upon an execution; and if he sustains the attachment, to give the Collector a written order to collect said taxes out of the estate of the person or persons in whose hands the same were attached; and by virtue of which distress may be made as in other cases for the collection of taxes. The service of the notice as aforesaid shall operate as an attachment and restraining order, and have the same force and effect as other attachments granted under the laws in force upon that subject. The Collector, for serving said notice, shall be allowed a fee of twenty-five cents, to be paid by the tax-payer, and taxed as cost.

Fee of Collector.

Clerk of School Board and compensation of.

SEC. 17. The City Clerk shall not, ex-officio, be the clerk of the School Board, but said corporation shall have power to appoint a clerk and prescribe his duties and term of service, and fix his compensation, and pay the same out of the school funds, and require of him bond and sureties if they deem the same neces-

sary. The proceedings of the School Board and copies therefrom, certified by their Clerk, shall be taken in the same manner and have the same force and effect in courts and elsewhere, as are now given to the proceedings of the City Council.

Copies to be evidence.

SEC. 18. No money shall be drawn from the School Fund, unless the same has first been appropriated by the said School Board, and no appropriation of money shall be made to be paid out of said School Fund, unless the money shall actually be in the Treasury to meet the draft, and if any appropriation shall be made and there shall not be money in the Treasury, at the time of making said appropriation, with which to pay the same, the members of the School Board voting therefor shall be individually liable to any party injured, for the amount of damage sustained in consequence thereof.

When and how money may be drawn from School Fund.

Liability of members.

SEC. 19. If the President, or any member or members of the School Board shall be, or become interested, directly or indirectly, in any contract with the School Board, his or their seat shall be vacated, and shall be so declared by the said Board and entered on their journal, and the contract shall be held and considered a nullity; and in the event that the City Clerk, Treasurer, or any other city officer being or becoming so interested, he shall be forthwith removed from office by the City Council, and the contract shall be held and considered void, except that the School Board shall remove its Collector or Clerk for the same offense.

Members and officers not to be contractors.

SEC. 20. The contracts made for the purchases of property, or for work to be done, or for improvements to be made in any one year, shall not exceed in amount the revenue and available means of the School Board for that year, over and above the ordinary disbursements, unless by the concurrence of three-fourths of the members of the said Board.

Contracts not to exceed revenue.

SEC. 21. The City Council shall have power to license, tax and regulate all carts, wagons, drays, hackney-coaches, carriages and other vehicles used for hire in said city.

To license and tax wagons, carts, etc.

SEC. 22. The City Council is hereby empowered and authorized to take up and remove any street, alley, or other public improvement, that they are

Power to take up and alter streets in certain cases.

authorized to make, at the cost of the property holders owning lots fronting the same, which has been made, or which hereafter may be made by order of said Council, without having followed the requirements of the charter so strictly as to make the expenses and costs of the improvements a tax and lien upon the lots fronting the same as prescribed in said charter: *Provided*, that the owner or owners of any lot or lots, or parts of lots so fronting such improvements, shall fail or refuse to pay for the expense of making the same, when ordered or requested so to do by said Council.

To appoint Justice of Peace to act in absence of Mayor.

SEC. 23. That the City Council shall have power to appoint some Justice of the Peace in said city, to hold the Mayor's Court of said city, during the absence of the Mayor or his inability to attend, or when, from any cause, he shall be prevented from officiating; and, when so officiating, said Justice shall have and possess all the power and authority, and the same jurisdiction of the Mayor, and shall receive the usual fees of the business done, and such proportion of the Mayor's annual salary, as the time of service bears to the year.

SEC. 24. The Legislature reserves the right to alter, amend, or repeal this act.

SEC. 25. This act shall take effect from and after its passage.

Approved February 3, 1864.

ORDINANCES OF COVINGTON.

A General Enacting Clause.

Be it ordained by the City Council of Covington, That the provisions of the following, and amendments thereto, as revised, are now hereby adopted and declared to be in full force, and to have the same effect as if now originally ordained. To-wit:

AN ORDINANCE making all Licenses granted by the Council, expire on the 1st day of May, of each year.

SECTION 1. *Be it ordained by the City Council of Covington*, That all licenses hereafter granted by this Board for taverns, coffee houses, and porter, ale, and beer houses, shall expire on the 1st day of May succeeding the date of license: *Provided*, that if a less period than three months shall intervene between the granting of the license and the 1st day of May succeeding, the duration of the license may be extended to the 1st day of May of the year following: *Provided, also*, that the charge for license shall be in proportion to the time for which it may be granted.

SEC. 2. *Be it further ordained*, That no portion of any money paid into the City Treasury, for any tavern license, coffee house license, or license to sell ale, beer, or porter, shall be refunded to the party or parties licensed, nor shall any license be transferable.

SEC. 3. *Be it further ordained*, That all ordinances conflicting with this ordinance be and the same are hereby repealed.

Passed February 28, 1856.

AN ORDINANCE regulating Coffee Houses in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That if any person or persons shall desire to establish a coffee house, or a house under any other name, for the purpose of retailing intoxicating liquors, he, she, or they, shall first present a petition to that effect to the City Council, describing the location of the house intended to be used by the petitioner

or petitioners for that purpose, and such petition shall be accompanied with the recommendation of at least ten freeholders, residing in and holding real estate in the ward in which the proposed coffee house, or other house for the retailing of intoxicating liquors, is to be kept; and in case the petitioner or petitioners shall not own the property proposed to be occupied, he, she, or they, shall accompany the petition with the written consent of the owner or his agent, that it may be used for the purpose specified in the petition; and if the Council are satisfied that the license ought to be granted, they shall pass an order for that purpose, which order, certified by the City Clerk, shall be delivered to the petitioner, who will present it to the City Treasurer and pay the amount specified, and take his receipt for the same. Said receipt shall then be presented to the City Clerk, who will file the same in his office, and give a certificate to the petitioner, stating that the amount required had been paid into the Treasury, and he shall present said certificate to the Mayor, who shall issue the license. For issuing same and taking bond, he shall pay to the Mayor the sum of one dollar and fifty cents, and to the Clerk for his certificate twenty-five cents, which shall continue for the time specified in the license.

Sec. 2. That if any person or persons licensed to keep a coffee house or other house for retailing intoxicating liquors in the city of Covington, shall allow any kind of reveling or drunkenness, lewd or improper conduct, or shall suffer any person or persons to play at any game or games of chance, at which money or property, or the representative of money or property, is staked, or bet, or lost, or won, or any species of gambling whatever, in his or her house, or on his or her premises, every such person, for every such offense, shall forfeit and pay said city any sum not less than ten nor more than fifty dollars, with costs of prosecution, and shall forfeit the license to keep such house.

Sec. 3. That if any coffee-house keeper or retailer of spirituous liquors shall sell, barter, or in any way dispense intoxicating drinks on the first day of the week, usually called Sunday, the person or persons so offending shall, upon conviction before the Mayor, be fined the sum of ten dollars and costs of suit.

Sec. 4. That if any coffee-house keeper or retailer of intoxicating drinks shall sell, barter, or, for any consideration whatever, furnish intoxicating drinks of any kind to any person or persons under the age of twenty-one years, or shall sell,

barter, or loan intoxicating liquors of any kind to any slave or slaves, other than his, her, or theirs, unless entitled for the time to the services of such slave or slaves, or unless permission to do so is first obtained from the owner or the person who may be entitled to the services of such slave or slaves for the time being, the person or persons so offending shall be fined in the sum of not less than ten nor more than twenty dollars.

SEC. 5. That if any person or persons shall keep a coffee house or retail any intoxicating liquors without a license, in the city of Covington, he, she, or they, upon conviction thereof before the Mayor, shall be fined not less than ten nor more than fifteen dollars for each offense.

SEC. 6. That any person or persons who may infringe any of the provisions of this ordinance, shall, in addition to the fine specified in the several sections thereof, be liable to have their license revoked at the discretion of the Council.

SEC. 7. That it shall be the duty of the Marshal and his deputies to attend to the strict execution of the provisions of this ordinance, and for that purpose it shall be the duty of the Marshal and his deputies to give information to the Mayor of any and all violations of this ordinance.

SEC. 8. *Be it further ordained*, That no coffee-house license shall be granted for less than two hundred dollars per annum.

SEC. 9. *Be it further ordained*, That all ordinances that come in conflict with this ordinance are hereby repealed.

Passed February 28, 1856.

AN ORDINANCE amending an Ordinance regulating Coffee Houses in the City of Covington, passed February 28, 1856.

SECTION 1. *Be it ordained by the City Council of Covington*, That no coffee-house license shall be granted for less than one hundred and twenty-five dollars per annum.

SEC. 2. *Be it further ordained*, That so much of the ordinance to which this is an amendment, as conflicts with the 1st section of this ordinance, be and the same is hereby repealed.

Approved May 1, 1862.

AN ORDINANCE regulating Taverns in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That any person or persons desiring to keep a tavern within the limits of the city of Covington, shall first present a peti-

tion to that effect to the City Council, accompanied with the recommendation of at least ten freeholders, residents of said city, five of whom shall reside and own property in the same ward, certifying that he, she or they are well qualified to keep a tavern, and that they believe the granting of the license will be of public utility; and further, that the house in which it is proposed to keep the tavern has at least eight rooms, eight beds, and six fireplaces, and the control of a stable divided into at least twelve stalls for horses, and if the house is not owned by the petitioner, the owner or agent of said property must give his consent to the petitioner, certifying that he has agreed that the house should be occupied as a tavern, which certificate must accompany the petition; and if the Council are satisfied that the license ought to be granted, they shall pass an order for that purpose. The Clerk shall give a certificate to the petitioner stating the amount, which certificate the petitioner shall present to the Treasurer, pay the amount required, and take his receipt for the same, which receipt shall be handed to the Clerk, who shall file the same in the Clerk's office, and give the petitioner a certificate to the Mayor stating that the ordinance had been complied with. The Mayor will then issue the license to said petitioner, stating the time at which said license will expire, for which he will be entitled to one dollar and fifty cents, for issuing license and taking bond hereinafter provided for, and the Clerk shall receive twenty-five cents for his certificate.

Sec. 2. *Be it further ordained*, That no license shall be granted for less than one hundred dollars or more than two hundred dollars, according to the location of the house, and at the discretion of the Council.

Sec. 3. That before license shall be issued to any person or persons to keep a tavern, he, she or they shall first execute bond with approved security, to be approved by the Mayor, with such conditions as are provided by the act of the Legislature, contained in the revised statutes, which shall be made payable to the city, and with a penalty of two hundred dollars.

Sec. 4. That any person or persons infringing on the provisions of this ordinance, shall pay a fine of not less than ten dollars nor more than fifty dollars for each offense.

Sec. 5. That if any keeper of a tavern in said city shall permit or suffer any drunkenness, riotous or disorderly conduct in his or their house, or upon his or their premises, or sell or permit to be sold any spirituous liquors to any slave, without

the consent first had of his or her master, or sell to any minor, such tavern keeper shall be fined not less than sixteen dollars for each offense, and upon a second conviction for any of the above offenses, the license shall be forfeited; and the Council may revoke said license at any time a majority of the Board shall be satisfied it ought to be done. And if any person shall keep a tavern or retail liquor after forfeiture or violation of the license aforesaid, he or they shall be subject to the same fine as if no license had been granted.

SEC. 6. That no license shall be granted to any negro or mulatto, nor to any white person under twenty-one years of age, nor to any person not of good character; and any person licensed to keep a tavern, shall keep the house, where the same is or shall be kept, constantly provided with usual and comfortable accommodations for travelers.

SEC. 7. That if any tavern keeper shall sell, or barter, or in any way dispense intoxicating liquors on the first day in the week, usually called Sunday, the person or persons so offending shall, upon conviction before the Mayor, be fined ten dollars and costs of suit.

SEC. 8. *Be it further ordained*, That all ordinances coming in conflict with this ordinance be and the same are hereby repealed.

Passed February 28, 1856.

AN ORDINANCE fixing the compensation of Grand and Petit Jurors in the Mayor's Court.

SECTION 1. *Be it ordained by the City Council of Covington*, That from and after the passage of this ordinance, that grand jurors who serve in the Mayor's Court of said city, shall be allowed the same compensation for their services as is now allowed by law to grand jurors in the Kenton Circuit Court.

SEC. 2. *Be it further ordained*, That from and after the passage of this ordinance, that petit jurors, who shall serve in the regular terms of said Court in the trial of matters of indictment or presentment, found by the grand jury of said Court, shall be allowed for their services seventy-five cents per day.

SEC. 3. *Be it further ordained*, That it shall be the duty of the Mayor of said city to give to each grand or petit juror, who shall serve in his said Court, a certificate of the number of days he shall have served, distinguishing between grand and

petit jurors, together with the amount to which each is entitled according to law, which, when presented to the Council, shall be allowed and paid as other claims now are.

Revised and approved March 6, 1856.

AN ORDINANCE fixing the compensation of Fire Companies.

SECTION 1. *Be it ordained by the City Council of Covington*, That from and after the passage of this ordinance, there shall not be allowed from the City Treasury to any fire company or association, for current expenses, a sum exceeding fifty dollars per quarter.

SEC. 2. *Be it further ordained*, That there shall not be any appropriations from the City Treasury for repairs of fire apparatus, unless such repairs shall have been deemed necessary and ordered by the Chief Engineer of the Fire Department, or by the City Council.

Revised and approved March 6, 1856.

AN ORDINANCE compensating Councilmen.

SECTION 1. *Be it ordained by the City Council of Covington*, That the President and members of the City Council, from and after the first Saturday in January next, shall each be allowed a compensation for their services as councilmen, the sum of one dollar for each regular meeting, and fifty cents for each adjourned or called meeting of the Board they shall attend, payable quarterly out of the City Treasury: *Provided*, the regular meetings shall not be held oftener than once in two weeks.

SEC. 2. *Be it further ordained*, That each member of the City Council, from and after the first Saturday in January next, shall forfeit and pay one dollar for each regular meeting of the City Council, and fifty cents for each adjourned or called meeting of said Council, from which he shall have been absent, to be deducted from his compensation as councilman: *Provided, however*, that any member who shall have been absent on account of sickness of himself or in his family, or absent from the city at the time of such meeting, shall not be subject to such forfeiture: *Provided, further*, that it shall be the duty of each member who shall have been absent from such meeting, to communicate in writing to the Board the cause of his absence from the same.

Passed December 19, 1850. Revised and approved March 6, 1856.

AN ORDINANCE amending an Ordinance fixing compensation to the members of the City Council of Covington, passed April 4, 1856.

SECTION 1. *Be it ordained by the City Council of Covington*, That the compensation of members of the City Council of Covington shall be the same for adjourned and called meetings as for regular meetings; this provision to apply to members hereafter elected.

SEC. 2. *Be it further ordained*, That so much of the ordinance to which this is an amendment as conflicts with the first section of this ordinance, be and the same is hereby repealed.

AN ORDINANCE repealing the Ordinance regulating Ten Pin Alleys in the City of Covington, passed and approved June 6, 1850.

SECTION 1. *Be it ordained by the City Council of Covington*, That any and all ordinances regulating and licensing ten pin alleys in said city, be and the same are hereby repealed.

SEC. 2. *Be it further ordained*, That if any person or persons shall keep or permit to be kept any ten pin alley or alleys, with any number of pins, and permit any game or games to be played thereon within the corporate limits of said city, from and after the passage of this ordinance, he, she or they so offending shall be fined, upon conviction before the Mayor, for each offense, any sum not less than ten dollars, nor more than sixteen dollars and sixty-six cents: *Provided*, that this ordinance shall not be so construed as to apply to any alleys now licensed by the Council, during the term for which they have been respectively licensed.

Passed June 28, 1851. Revised and approved March 6, 1856.

AN ORDINANCE defining the duties and fixing the salary of City Attorney.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be the duty of the City Attorney to attend to and prosecute all cases in the Mayor's Court; also, before Justices of the Peace in said city in which the city or commonwealth shall be a party, (except cases of felony,) and also to attend at the meetings of the Council.

SEC. 2. That it shall be the duty of the City Attorney to see that the City Marshal, his deputies, and other officers, truly and faithfully pay into the City Treasury all fines, forfeitures and moneys to which the city is entitled, and that all

process be duly executed and returned; and in case of delinquencies of the said Marshal or his deputies, or other officers, to proceed against him or them, and their securities, by motion or otherwise, and no allowance shall be made to said attorney until the Council are advised that he has fully discharged his duty.

SEC. 3. That it shall be the duty of said attorney to advise the Council and all officers of the city in relation to their legal duties, and shall examine into and report in writing upon all legal questions referred to him by the Council or any of the officers, and shall at all times, when required by order of Council, draw up all contracts, articles of agreements, ordinances, bonds, etc., free of charge or compensation.

SEC. 4. That the salary of said attorney shall be three hundred dollars per annum, payable quarterly out of the City Treasury, and ten per cent. on all fines and forfeitures imposed in cases where he shall have prosecuted, when collected and paid into the Treasury.

SEC. 5. *Be it further ordained*, That all ordinances coming in conflict with this ordinance, be and the same are hereby repealed.

Revised and approved May 13, 1864.

AN ORDINANCE regulating the Sales at Auction.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall not be lawful for any person or persons to sell at auction, within the limits of said city, any real or personal estate, except at the sale of the estate of a decedent, or by an officer under decree, order or execution of some court of justice, unless he or they shall first obtain a license from the Mayor for that purpose, who shall issue the same for one year upon producing to him the receipt of the Treasurer for twenty-five dollars.

SEC. 2. That if any person or persons shall violate the provisions of this ordinance, he or they, upon conviction thereof before the Mayor, shall forfeit a sum not less than ten nor more than fifty dollars.

SEC. 3. That before any person or persons shall sell at auction, he or they shall give bond with good security, to be approved by the Mayor, in the sum of one thousand dollars, conditioned to discharge his or their duty according to law, and to pay to all persons the money to which they may be

entitled from the proceeds of any sale or sales made by said auctioneer, and to deliver all property to the person to whom the same belongs, when required.

SEC. 4. *Be it further ordained*, That all other ordinances regulating sales at auction and auctioneers, be and the same are hereby repealed.

Revised and approved March 6, 1856.

AN ORDINANCE prohibiting Bathing in the Ohio and Licking Rivers, within the corporate limits of the city.

SECTION 1. *Be it ordained by the City Council of Covington*, That hereafter it shall be unlawful for any person or persons to bathe in the Ohio or Licking rivers, from Bullock-street on the Ohio river to Fourteenth-street on Licking river, at an earlier hour than 8 o'clock P. M., and any person or persons offending against the provisions of this ordinance, shall, upon conviction thereof before the Mayor, be fined not exceeding ten dollars and costs of prosecution.

SEC. 2. That it shall be and is hereby made the duty of the City Marshal, Wharf Master and Police officers, to return all persons who shall infringe upon the provisions of this ordinance, to the Mayor for prosecution.

SEC. 3. All ordinances coming in conflict with this ordinance are hereby repealed.

Revised and approved March 6, 1856.

AN ORDINANCE to punish Beggars and Vagrants.

SECTION 1. *Be it ordained by the City Council of Covington*, That if any person or persons shall be found within said city loitering about ordinaries, dram shops, or houses of ill fame, or wandering about the streets, either by night or day, not having any place of known residence, or any visible means of support and livelihood, and not being able to give any satisfactory account of themselves, such person or persons, upon conviction thereof before the Mayor, shall be punished by confinement in the city jail or work-house, and fed on bread and water only, not exceeding twenty days nor less than one day.

SEC. 2. That if any person or persons shall be found roaming about the streets in an idle and dissolute manner, begging

for money or property, he, she or they shall, upon conviction thereof before the Mayor, be punished in the same manner as is provided for in the first section of this ordinance.

Sec. 3. That it shall be the especial duty of the City Marshal to apprehend all persons guilty of a violation of this ordinance, and take them before the Mayor to be dealt with as herein provided.

Sec. 4. *Be it further ordained*, That all ordinances conflicting with this ordinance be and the same are hereby repealed.

Revised and approved March 6, 1856

AN ORDINANCE creating Policemen in the City of Covington and prescribing their duties.

Section 1. *Be it ordained by the City Council of Covington*, That a police be established, to consist of one or more persons in each ward, who shall be appointed at such times and for such ward or wards as the Council may deem necessary.

Sec. 2. The officer contemplated in the foregoing section shall have the power and it shall be his duty to suppress riots, routs, unlawful assemblies, disturbances and breaches of the peace, occurring in the city of Covington, and to apprehend the person or persons guilty of such offenses, and deal with him or them in the same manner that the Marshal of the city may deal with them; and such policemen shall receive the same fees for the services rendered by them that are allowed to the City Marshal for such services.

Revised and approved March 6, 1856.

AN ORDINANCE to provide for Lighting with Gas the City of Covington, Ky.

Section 1. *Be it ordained by the City Council of Covington*, That from and after the passage of this ordinance, there shall be granted unto James Southgate and associates, their successors and assigns, the exclusive privilege of laying pipes for conducting gas under and along all the streets, lanes, alleys, market-spaces, &c., of the city of Covington, for the period of fifty years from the date hereof, upon the conditions as hereinafter provided.

Sec. 2. That the said pipes shall be laid so as not to interfere with the drainage or sewerage of said streets, lanes, alleys, market-spaces, &c. And that whenever said James Southgate

and associates, their successors and assigns, shall desire to open any of said streets, lanes, alleys, market-spaces, etc., for the purpose of laying down pipes, they shall give notice thereof to the City Council at least three days previous to the commencement of the work; and shall not, during the progress of the work, unnecessarily obstruct the passage of said streets and lanes, alleys, market-spaces, etc., and shall, within a reasonable time, not to exceed twenty days after the pipes are laid, repave and repair the streets, lanes, alleys, market-spaces, &c., where disturbed by the laying of pipes, in such manner as may be approved by the City Council.

Sec. 3. That the said James Southgate and associates, their successors and assigns, shall furnish to the city of Covington, upon the several streets, lanes, alleys, market-spaces, etc., in which main gas-pipes are laid, such quantities of gas as may be required by the City Council aforesaid for the use of the public street lamps ordered by said City Council, at one-half the price at which gas may be furnished to the citizens of Covington, the amount of gas consumed by the public street lamps to be ascertained by the customary meter measurement. And further, that gas shall be furnished to the citizens for their private consumption at the following rates: At three dollars ($3) per thousand cubic feet until the average aggregate amount of consumption shall be equal to forty thousand cubic feet in twenty-four hours; at two and a half dollars ($2 50) per thousand cubic feet when the average aggregate amount of consumption shall exceed forty thousand cubic feet, but not exceed seventy-five thousand cubic feet in twenty-four hours; and at two dollars ($2) per thousand cubic feet when the aggregate amount of consumption shall exceed seventy-five thousand cubic feet in twenty-four hours.

Sec. 4. That all public street lamps, lamp posts, and other requisite fixtures appertaining thereto, shall be furnished by and at the expense of the said James Southgate and associates, their successors and assigns, and erected at such times, points, and in such numbers, where the main gas-pipes have been laid, as the City Council may direct: *Provided*, that said public street lamps shall be ordered to be lighted upon the erection of the same, and be continued in use thereafter; all the public street lamps to be cleaned, lighted and kept in repair at the expense of said City Council. And if the said City Council should at any time desire to have public street lamps erected at any of the Engine Houses or other public buildings, or to light any street, alley, or market-space, etc., and the said

James Southgate and associates, their successors or assigns, should refuse to extend the gas-pipes to such situations of the city, then the said City Council shall have the privilege of extending the gas-pipes at their own cost, and order the erection of such number of public street gas lamps for the purpose aforesaid as they may deem proper; and the said public street lamps shall be erected upon the same conditions and furnished with gas on the same terms as the other public street lamps of the city; and the main gas-pipes, so laid down at the expense of the city, shall not directly or indirectly be used for furnishing gas except for public street uses, nor shall other gas-pipes be laid down along any part of streets so occupied by gas-pipes, laid down at the expense of said city, until the whole amount so expended by the City Council in laying gas-pipes be refunded to the City Council by said James Southgate and associates, their successors and assigns, when the said gas-pipes shall become the property of the said James Southgate and associates, their successors and assigns.

Sec. 5. That the privileges granted by this ordinance unto James Southgate and associates, their successors and assigns, are upon the condition that they shall commence on or before the 1st of April, 1853, and have completed the requisite apparatus for manufacturing gas in said city, and laid down, in connection therewith, at least four miles of main gas-pipes within said corporation, on or before the 1st of January, 1854, and shall further lay an average amount of at least fifteen hundred feet of main gas-pipes per annum thereafter, if required or ordered by the said City Council.

Sec. 6. That the works and operations of said gas-works shall be so constructed and managed as to cause no injury to the health of the citizens of Covington.

Sec. 7. That the said City Council shall have the right and privilege, by giving one year's previous notice in writing, of purchasing from said James Southgate and associates, their successors and assigns, all the pipe, buildings, privileges and apparatus, constituting the gas-works, on the 1st of January, 1869, and at the expiration of each and every term of five years thereafter; the price or value of said gas-works to be ascertained and determined by five disinterested persons, residents of Kentucky, two of whom shall be chosen by said City Council, two by said James Southgate and associates, their successors and assigns, and the fifth by the four so chosen.

Sec. 8. That the citizens and property holders of said city are permitted to subscribe for one-half the stock of said gas

company: *Provided*, they subscribe for the same within thirty days after the opening of the book and public notice given thereof.

Passed October 28, 1852. Revised and approved March 6, 1856.

AN ORDINANCE providing for licensing Peddlers in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That before any person or persons shall be at liberty to peddle and sell as a peddler any dry goods, groceries, wares, jewelry, or any thing, in said city, he, she or they shall first pay into the City Treasury the sum of ten dollars, and it shall be the duty of the Treasurer to certify the same to the Mayor, who shall issue a license under the seal of his office to such person or persons to peddle in said city six months.

SEC. 2. *Be it further ordained*, That if any person or persons shall violate the provisions of this ordinance, he, she or they, upon conviction thereof before the Mayor, shall forfeit and pay any sum not exceeding twenty dollars and costs of suit.

SEC. 3. *Be it further ordained*, That in addition to the sum required to be paid for the license, the person or persons to whom the same may be issued shall pay to the Mayor, for his certificate and seal, the sum of fifty cents.

SEC. 4. *Be it further ordained*, That it shall be the duty of the City Marshal to arrest and take before the Mayor for trial all persons violating this ordinance: *Provided*, that nothing herein contained shall be construed to peddlers of fruit, matches and bread.

SEC. 5. *Be it further ordained*, That all ordinances conflicting with this ordinance are hereby repealed.

Passed June 6, 1850. Revised and approved March 6, 1856.

AN ORDINANCE on the subject of Peddlers.

Be it ordained by the City Council of Covington, That the Mayor of said city is hereby authorized to issue a license to any person of good character to peddle porter, ale, beer and mineral water in the city, according to the provisions of an ordinance which was passed on the 6th of June, 1850, revised and approved March 6, 1856.

Approved February 5, 1857.

AN ORDINANCE to prevent Hogs from running at large in the City.

SECTION 1. *Be it ordained by the City Council of Covington*, That if any person, being the owner of any animal of the hog kind, or having charge of the same as agent for the owner, shall, after the fifteenth day of July next, permit such animal to run at large in any street, lane, alley, market-place, public landing or common, or public ground of said city, every such owner or agent shall, on conviction thereof before the Mayor, be fined in any sum not less than one dollar nor more than ten dollars, with costs, for every such offense.

SEC. 2. Any hog or hogs, or animal of the hog kind, found running at large, shall be impounded by the City Marshal, who shall give at least five days notice by advertising at least once in some newspaper printed in the city of Covington, that the owner prove his property in such animal before the Mayor, on a day to be specified in said notice. On the day specified, or at any day before, such owner or his agent may prove before the Mayor his right to such property, and have the same restored to him by paying all fees and expenses attending the capture and support of such animal; but if such proof be not made at or before the day specified in the notice, the Mayor shall enter an order on his docket that such animal be sold, and shall thereupon direct the Marshal of the city to sell such animal, and the Marshal, after giving at least three days' notice of the time and place of sale, by advertisement at the door of the City Hall, shall sell such animal at public auction to the highest bidder, for cash; and after retaining his fees and the costs, and all necessary expenses attending the capture and support of such animal, shall pay the net proceeds to the Mayor, and return a statement in writing, on said order of sale, of his proceedings and costs and expenses, within ten days after the sale. The Mayor, after deducting his costs, shall pay the residue of the proceeds to the City Treasurer within thirty days after the return. The Marshal shall be entitled to a fee of fifty cents for each hog or animal of the hog kind, for the capture thereof; and all necessary expenses attending the capture and impounding of the animal, and feeding it while impounded, and ten per cent. commission on the amount of each sale actually made under this ordinance; to be paid by the owner, or deducted from the proceeds of sale; and the Mayor shall be entitled to receive a fee of fifty cents for each order made and each return received and entered by him under this ordinance.

SEC. 3. It shall be the duty of the City Marshal and his

deputies to capture and impound every hog found by or pointed out to them, or either of them, at large in any street, alley, or other public place in the city; and upon his failure to do so, such officer, upon conviction thereof before the Mayor, shall be subject to a fine of five dollars for each failure.

SEC. 4. All ordinances or parts of ordinances coming within the purview of this ordinance, shall be and the same are hereby repealed.

Passed June 26, 1855. Approved and re-enacted May 13, 1864.

AN ORDINANCE authorizing the City of Covington to subscribe $100,000 to the Covington and Lexington Railroad Company.

SECTION 1. *Be it ordained by the City Council of Covington*, That the bonds of this city, to the amount of one hundred thousand dollars, be issued to the Covington and Lexington Railroad Company, in such amounts and at such times as the company may require, redeemable in thirty years, bearing interest of six per cent. per annum, payable semi-annually at ————, in the city of New York, or any other city in the United States, on the 1st day of January and July in each year, which bonds are to be delivered to said company in payment of subscription by the city to the capital stock of said company, to be delivered to the city upon the execution and delivery of the bonds of the city in favor of said company, and to an amount corresponding with the amount of city bonds issued.

SEC. 2. *Be it further ordained*, That the certificates of stock thus acquired shall be and are hereby set apart, and sacredly and irrevocably pledged for the payment of the bonds issued to said company.

SEC. 3. *Be it further ordained*, That all of the dividends that may from time to time be received by the city on the stock in said railroad company, be and are hereby in like manner set apart and irrevocably pledged for the payment of the interest upon the bonds of this city issued to said railroad company; and further, that in case the amount of dividends secured by the city on the stock in said company shall at any time exceed the amount of interest to be paid upon said city bonds, then said excess shall be applied to the liquidation of said bonds by purchase, or shall be safely invested and constituted a sinking fund for the ultimate payment of said bonds.

SEC. 4. *Be it further ordained*, That the good faith, credit, real estate and revenue of the city be and are hereby irrevocably pledged for the payment of the principal and interest of said bonds.

Passed August 23, 1850.

AN ORDINANCE authorizing the subscription of $200,000 to the Covington and Lexington Railroad Company.

WHEREAS, The qualified voters of the city of Covington did, on the 4th day of August, 1851, at an election then regularly held, decide, by a vote of nine hundred and ninety-one in favor to eighty-eight against, that this Board should subscribe two hundred thousand dollars to the capital stock of the Covington and Lexington Railroad Company, in addition to the one hundred thousand dollars subscription heretofore made; therefore, in obedience to said vote, and by authority conferred upon this Board by an act of the Legislature of Kentucky, approved the —— day of March, 1851,

SECTION 1. *Be it and it is hereby ordained by the City Council of Covington*, That the President subscribe for and on behalf of the city of Covington, to the capital stock of the Covington and Lexington Railroad Company, the amount of four thousand shares, and the President and Clerk are directed to issue bonds of the city to the amount of said subscription, in such sums as said company may desire, payable to said company or bearer, not exceeding thirty years after date, payable at the city of New York, bearing interest at the rate of six per cent. per annum, payable semi-annually in said city of New York, and to issue coupons for said interest.

SEC. 2. *Be it further ordained*, That all the estate, rights and credits, and the faith of the city, and the stock herein directed to be subscribed, be and the same are hereby irrevocably pledged for the payment of the interest and redemption of principal of said bonds.

Passed October 31, 1851. Revised and approved March 13, 1856.

AN ORDINANCE indorsing Railroad Bonds.

WHEREAS, The city of Covington is authorized by an act of the Legislature of this Commonwealth, approved the 3d day of January, 1852, to indorse the bonds of the Covington and

Lexington Railroad Company to the amount of two hundred thousand dollars, upon the consent of the voters of said city being given thereto; and whereas, a majority of the voters of said city have petitioned the City Council to indorse the bonds of said company to the amount of two hundred thousand dollars, in accordance with the provisions of said act, therefore,

SECTION 1. *Be it ordained by the City Council of Covington*, That the President of this Board shall indorse, for and in behalf of this city, the bonds of the Covington and Lexington Railroad Company, to the amount of two hundred thousand dollars, to be attested by the City Clerk, with the city seal attached, to be issued under the provisions and by the authority of the act aforesaid.

SEC. 2. That the faith and credit of the city be and the same is irrevocably pledged for the prompt payment of the interest of said bonds, and the final redemption thereof.

Passed August 26, 1852.

AN ORDINANCE providing for a Loan for the City of Covington.

SECTION 1. *Be it ordained by the Mayor and Councilmen of the City of Covington*, That the loan of twenty-five thousand dollars, proposed by Marcus Smith, be and the same is hereby accepted for the use of said city, bearing an interest of six per centum per annum; which said interest is to be annually paid in advance, at the office of the Ohio Life Insurance and Trust Company, in the city of Cincinnati; and which said loan is to be irredeemable until the expiration of thirty years from the date of the certificates issued in pursuance of this ordinance.

SEC. 2. *Be it further ordained, by the authority aforesaid*, That for the purpose of carrying into effect the loans aforesaid, certificates shall be issued by the city of Covington, under the seal of said city, signed by the Mayor, and attested by the City Clerk, in sums of one thousand dollars each, irredeemable until the expiration of thirty years after the date thereof, and bearing an interest of six per centum per annum, from the day of the date thereof, which said interest is to be annually paid in advance, at the office of the Ohio Life Insurance and Trust Company, in the city of Cincinnati aforesaid.

SEC. 3. *Be it further ordained, by the authority aforesaid*, That for the payment of the interest aforesaid, on the loan afore-

said, there shall be assessed, and collected annually, a tax on the real and personal estate of said city, a sum sufficient to pay and satisfy the same. Said sum thus assessed and collected, is hereby irrevocably pledged and appropriated to the payment of said interest.

Sec. 4. *Be it further ordained*, That for the ultimate payment and redemption of the said sum of twenty-five thousand dollars, the public grounds, city stocks, faith and credit, are hereby pledged.

Sec. 5. *Be it further ordained, by the authority aforesaid*, That all ordinances and parts of ordinances heretofore passed, providing for a loan for said city, be and the same are hereby repealed.

Sec. 6. *Be it further ordained*, That the interest which shall accrue on said loan, made in pursuance of said ordinance aforesaid, after the 5th day of September next, shall be paid on the 5th day of March and on the 5th day of September in each year, at the Bank of America, in the city of New York; and that the City Treasurer be directed, and he is hereby authorized and directed to pay said interest accruing on said loan, on the days of the 5th of March and the 5th of September, at the Bank of America aforesaid, to any person or persons duly authorized to receive the same; and the Mayor and Clerk of said city of Covington are hereby authorized and directed to certify the foregoing amendment upon the back of the city bonds, issued in pursuance of the ordinance aforesaid, passed September 2, 1835.

Approved March 13, 1856.

AN ORDINANCE authorizing the issuing of Bonds for subscription to Newport and Covington Bridge Company.

Section 1. *Be it ordained by the City Council of Covington*, That thirty-seven bonds, of one thousand dollars each, to be dated on the 1st of April, 1853, and payable thirty years after date, in the city of New York, to bear an interest of six per cent. per annum, payable semi-annually in the said city of New York, on the 1st days of January and July in each year, with coupons annexed, be issued by this city under the authority of an act of the Legislature of the State of Kentucky, approved January 1, 1852, and said bonds be sold on the best terms that can be obtained, for the purpose of procuring means to pay for the city's subscription to the capital stock of the Newport and Covington Bridge Company.

SEC. 2. *Be it further ordained*, That the thirty-seven thousand five hundred dollars of the capital stock of the Newport and Covington Bridge Company, subscribed for by the city of Covington, and all dividends that may be received thereon, be and are hereby pledged, in addition to the faith of the city, for the payment of the principal and interest of the bonds issued under this ordinance.

SEC. 3. *Be it further ordained*, That an ordinance passed July 12, 1852, authorizing the issue of fifteen bonds for one thousand dollars each, be and the same is hereby repealed, and that the bonds prepared under said ordinance be destroyed by burning, under the inspection of the President of the Council and the City Clerk. Passed March 17, 1853. Approved March 13, 1856.

AN ORDINANCE authorizing the issue of Bridge Bonds.

SECTION 1. *Be it ordained by the City Council of Covington*, That there shall be issued by this city one hundred bonds, of the denomination of one thousand dollars each, redeemable in twenty years at the Bank of America, in the city of New York, payable to James Spilman or bearer, dated the 1st day of September, 1856, bearing interest at the rate of six per centum per annum, payable semi-annually at said Bank, on the 1st days of March and September; that coupons therefor shall also be attached, for the purpose of paying the subscription by the city of one hundred thousand dollars to the capital stock of the Covington and Cincinnati Bridge Company; and in pursuance of the vote of said city, and the act of the General Assembly of the Commonwealth of Kentucky, the said bonds shall be signed by the President of this Board, attested by the Clerk, with the seal of the corporation affixed. The said President shall also sign the coupons.

SEC. 2. That for the security of the payment of principal and interest of said bonds, the faith, rights, revenues, credits, with all the property of said city, be and the same are hereby irrevocably pledged.

SEC. 3. That the Committee of Ways and Means be and are hereby empowered to dispose of said bonds, or any part thereof, so soon as the same may be executed, or on such terms as shall be considered by them most favorable to the city, may make such arrangement and contract with said Bridge Company in relation thereto as by them shall be considered proper. Approved May 7, 1857.

AN ORDINANCE establishing a Board of Health.

SECTION 1. *Be it ordained by the City Council of Covington*, That there shall be and is hereby established a Board of Health for the city of Covington, consisting of one member for each ward, who shall hold their office for one year and until their successors are appointed. They shall serve without compensation or emolument, and shall be annually appointed by the City Council; and in case of removal, death, resignation, sickness or inability, or refusal of any of said Board to serve, their places shall be supplied immediately by other appointment, to be made by the Council. A majority of the whole Board shall be necessary to constitute a quorum for the transaction of business, and they shall meet at the City Clerk's office forthwith, after receiving notice of their appointment, and as often thereafter as they may deem necessary, and they shall elect from their own body a President, who shall preside at their meetings, and the City Clerk shall be ex-officio Secretary, and shall keep a journal of their proceedings.

SEC. 2. The Board hereby established shall have power, whenever they may deem it neeessary for the security of the city, to take the most prompt and efficient measures to prevent the introduction and spreading of contagious, malignant, dangerous and infectious diseases into said city, and for the immediate and safe removal of any person or persons who may be found therein afflicted with any such disease, and it is hereby made the duty of the Mayor, Marshal, Wharf Master, and all other officers of the city, to be attentive and vigilant in assisting the Board of Health in exercising their duties.

SEC. 3. That it shall be the duty of said Board of Health from time to time to recommend to the City Council such measures as the Board may deem necessary to promote and secure the health of said city, and to prevent the introduction of contagious, malignant, dangerous and infectious diseases, and to report to the Council all the expenses incurred in the discharge of their duties aforesaid; and the said Board of Health shall exercise such other powers and discharge such other duties as the Council may prescribe.

SEC. 4. That if any person or persons shall at any time hereafter knowingly introduce, aid or assist therein, the smallpox, yellow fever, or other contagious disease, into the city, or shall possess any knowledge of any person laboring under any such disease living within said city, without forthwith giving notice thereof to the Mayor or President of the Council, or shall fail or refuse to obey and observe the rules and regu-

lations of said Board of Health, every person so offending for every such offense shall forfeit and pay the sum of not less than five nor more than sixteen dollars.

SEC. 5. *Be it further ordained*, That all ordinances on this subject conflicting with this ordinance, be and the same are hereby repealed.

Passed November 18, 1852. Revised and approved March 13, 1856.

AN ORDINANCE regulating Plays, Exhibitions, Concerts and Shows.

SECTION 1. *Be it ordained by the City Council of Covington*, That no person or persons shall be permitted to exhibit in said city any theatrical performance of any kind or description, puppet show, tumbling or wire dancing, balancing, slight of hand, feats of dexterity, or any natural or artificial curiosity, or description or representation of any kind whatever, except menageries and circuses, either real or fictitious, for which compensation is demanded or required, unless he, she or they shall have first applied for and obtained license from the Mayor to make such exhibition or performance.

SEC. 2. That upon payment to the City Treasurer of a sum of money equal to ten times the amount of the highest sum charged for the admission of a grown person to each exhibition of any of the performances aforesaid, and also a sum of fifty cents to the Mayor for license and affixing his seal thereto; and, upon the presentation of the Treasurer's receipt for the money so paid to him, the Mayor may issue the license or permission to any person who may apply for the same.

SEC. 3. That if any person or persons shall violate the provisions of this ordinance, he, she or they, for each and every offense, shall forfeit and pay a fine not less than five nor more than sixteen dollars, with costs of suit.

SEC. 4. That it shall be the duty of the Marshal and his deputies and of the Clerk of the city to see that this ordinance is duly executed, and for that purpose shall give information to the Mayor whenever this ordinance is violated.

SEC. 5. That in the event of the temporary absence, resignation or death of the Mayor or Mayor *pro tem.*, said license may be granted by the President of the Council, and attested by the Clerk.

SEC. 6. That from and after the passage of this ordinance, before any circus company, menagerie, or exhibition of wild beasts shall be licensed to exhibit in said city, the proprietor,

manager, or agent thereof shall first pay into the city treasury the sum of fifty dollars for a circus, and twenty-five dollars for a menagerie of wild beasts, for each and every day said exhibition shall be made in this city.

SEC. 7. That the agent, proprietor, manager, or any person in any way connected with any company aforesaid, failing or refusing to comply with this ordinance, shall be fined in the sum of fifty dollars and costs for each and every offense.

SEC. 8. That the provisions of this ordinance shall not be construed so as to require license to be obtained for any musical concert, or lecture upon literary or scientific subjects, when the proceeds are for the benefit of charities, churches, schools, literary institutions, or fire companies of this city.

Passed November 19, 1852. Revised and approved May 13, 1864.

AN ORDINANCE defining the Duties and fixing the Salary of the City Clerk.

Be it ordained by the City Council of Covington, That it shall be the duty of the City Clerk to attend in his office each day of the week during business hours, and to keep the office open and accessible to all persons having business therein, and to render such aid to the officers of the city and committees of the Board at his office as may be required of him; that all advertisements for contracts and proposals and printing for the city shall be attended to by him under the direction of appropriate committees; that at each meeting of the Board of Council he shall report the amount of appropriations at the previous meeting, and shall keep the same in a book provided for that purpose; that he shall make out and index the proceedings of the Board, which should be regularly kept up as they transpire. His salary shall be one thousand dollars per annum, payable quarterly.

Passed November 19, 1852. Revised and approved May 13, 1864.

AN ORDINANCE for the regulation of Weights and Measures.

SECTION 1. *Be it ordained by the City Council of Covington*, That there shall be a Sealer and Inspector of Weights and Measures, who shall be elected by the voters of the city at large on the first Saturday in January, who shall hold his office for two years, or until his successor is elected and qualified, who, before entering on the duties of his office, shall give

bond with good security, in the penalty of one thousand dollars, to the city of Covington, conditioned to discharge all of the duties appertaining to said office.

SEC. 2. That from and after the taking effect of this ordinance, there shall be a regulation of Weights and Measures, in this city, agreeably to the standard adopted by the State of Kentucky.

SEC. 3. It shall be the duty of the Inspector and Sealer, and he is authorized once in every year, and oftener, to inspect and seal all weights and measures, scales and beams, and other instruments used in said city in weighing and measuring; and when any weights and measures, scales and beams are re-examined and found to be correct, there shall be no fee for such re-examination.

SEC. 4. Any person refusing to exhibit his or her weights and measures, scales and beams, or other weighing and measuring instruments, for the purpose of such examination as is provided for in this ordinance, shall be deemed guilty of a misdemeanor, and on conviction thereof before the Mayor of the city, shall be fined in any sum not exceeding twenty-five dollars.

SEC. 5. The Inspector and Sealer shall be allowed to receive the following fees for the services to be rendered by him under this ordinance, to wit: for inspecting and sealing platform scale, of two thousand pounds and upward, one dollar; for any of a less denomination, fifty cents; for inspecting and sealing large beam drawing one thousand pounds and upward, fifty cents; any of a less size, twenty-five cents; for inspecting and sealing weights of five pounds and upward, five cents each; for inspecting and sealing counter balances and scales, and each set of counter weights, from one-half ounce to four pounds, twenty-five cents; for comparing and sealing a dry measure bushel, twenty cents; a half bushel, ten cents; for each measure of smaller capacity, five cents; for comparing and sealing wine and liquor measures, for any three gallon or greater measure, ten cents; for any smaller measure, five cents; for every yard measure, five cents.

SEC. 6. The City Council, at the expense of the city, shall procure correct and approved standards, with their several subdivisions, together with proper beams and scales, for the purpose of testing and proving the weights and measures to be used in this city.

SEC. 7. That every person who may sell any articles by weight or measure, within this city, shall use only such weights, meas-

ures, beams and scales as shall have first been examined and sealed by the said Inspector and Sealer; and that any person offending against the provisions of this section shall, on conviction thereof before the Mayor, be fined in any sum not exceeding twenty-five dollars, and the Inspector and Sealer shall give information of such offending.

SEC. 8. That it shall be the duty of the Inspector and Sealer of Weights and Measures, to examine and seal all weights and measures, beams and scales, without unnecessary delay, after the same shall have been left at his usual place of business; and in all cases where it may become necessary to remove his weights or measures of standard, to any place other than his office, or usual place of business, the person or persons whose measures, scales or beams are to be inspected, or for whom such removal is made, shall pay all expenses of such transportation.

SEC. 9. The fees herein authorized to be charged by the Inspector and Sealer of Weights and Measures, shall be collected from the party or parties whose weights, measures, scales and beams shall be inspected and sealed.

SEC. 10. All ordinances coming within the purview of this ordinance are hereby repealed; and this ordinance shall take effect and be in force from and after the 1st day of April, 1853.

Revised and approved March 13, 1856.

AN ORDINANCE supplemental to an Ordinance passed January 27, 1853, on the subject of Inspecting and Gauging.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be the duty of the City Inspector and Sealer of Weights and Measures, to inspect and gauge all liquors, spirituous, malt and vinous, and molasses, and linseed and other oils, whenever he shall be called on for the purpose by any one proposing to buy or sell; and under like circumstances, he shall inspect any beef, pork, lard, butter, fish, salt, flour, meal, biscuit, feathers, tobacco, leather and other products which may be offered for sale in the city.

SEC. 2. The Inspector and Sealer may employ assistants for whose conduct he shall be responsible, and he shall provide himself with the common and most approved instruments for ascertaining the capacity of a barrel or other cask or vessel or measure, and the quality of the article contained therein; and he shall repair to any part of the city when called on to per-

form any of the duties required by this ordinance; he shall mark upon each barrel, cask or vessel, the quantity and quality of the article contained in it, with his name and the place of inspection affixed; in the case of liquors, giving the number of gallons contained and the capacity and the proof; and in the case of oils and molasses, the number of gallons contained and the capacity of the vessel; and in case of other articles, the number of pounds and the quality; and he shall, to the person for whom he acts, give a certificate of the inspection and gauging when required.

Sec. 3. He shall keep an account of every thing done by him and his assistants under the ordinances prescribing his duties, and shall report to the City Council every thing thus done once in every six months after his appointment.

Sec. 4. His fees shall be as follows, to be paid by the owner of the property inspected or gauged, to wit: for a barrel of flour, three cents; for a half barrel, two cents; for a barrel of salt, three cents, and for a sack of salt, two cents; for a barrel of beef or pork, twenty cents, and for a half barrel, fifteen cents; for a barrel, cask, vessel, or measure of any article not above named, except liquors, ten cents; and for a single barrel or cask of liquor, fifteen cents; for a larger number than one and not more than ten, ten cents each; and for a number exceeding ten, five cents each.

Passed November 30, 1854. Approved March 13, 1856.

AN ORDINANCE to establish the office of City Weigher.

Section 1. *Be it ordained by the City Council of Covington,* That there shall be a City Weigher, who shall be elected by the voters on the first Saturday in January, and shall hold his office for two years, or until his successor is elected and qualified; who shall keep an office in some central part of said city, and the city shall supply him with suitable scales, tested and approved by the City Sealer of Weights and Measures, and when requested shall weigh any article of commerce, and deliver to the applicant a certificate of the weight, and keep a register of all articles weighed; an abstract of which register, with the amount of fees received, shall be reported to the City Council under oath, at the first regular meetings in the months of March, June, September and December of every year.

Sec. 2. No person, other than the City Weigher and his

deputies, shall in this city follow the business of weighing, under a penalty of not less than five, nor more than fifty dollars, for each offense.

Sec. 3. The City Weigher shall cause his scales to be tested by the Inspector and Sealer of Weights and Measures at least once in three months.

Sec. 4. The City Weigher may charge and receive for his own use, from the person or persons, at whose instance he weighs, the following fees, and no more, to wit: For corn, wheat, rye, oats, barley, flaxseed and bran, for any quantity not exceeding five thousand pounds, two cents per hundred pounds; a quantity over five and not exceeding twenty thousand, one and a half cents per hundred pounds; a quantity over twenty and not exceeding fifty thousand, one and a quarter cents per hundred pounds; a quantity over fifty thousand pounds, one cent per hundred pounds. For sugar in hogsheads, for five hogsheads or under, twenty-five cents per hogshead; for over five and not exceeding ten, twenty cents per hogshead; over ten and not exceeding twenty, fifteen cents per hogshead; over twenty and not exceeding thirty, twelve and a half cents per hogshead; over thirty and not exceeding fifty, ten cents per hogshead; over fifty and not exceeding one hundred, eight cents; over one hundred hogsheads, five cents per hogshead. For sugar in barrels or boxes, for twenty or under, ten cents per box or barrel; over twenty and not exceeding one hundred, five cents; over one hundred, four cents per box or barrel. For coffee in sacks or barrels, for twenty or under, five cents per sack or barrel; over twenty and not exceeding one hundred, three cents per sack or barrel; over one hundred, two cents per each sack or barrel. For hemp, five tuns or less, forty cents per tun; over five and not exceeding ten, thirty cents per tun; over ten and not exceeding fifty, twenty cents per tun; over fifty tuns, fifteen cents per tun. For lard in barrels, for one hundred barrels or under, five cents per barrel; over one hundred, three cents per barrel. For lard in kegs, one cent per keg. For lead and other metals, for five tuns or less, thirty cents per tun; over five tuns and not exceeding ten, twenty-five cents per tun; over ten and not exceeding twenty tuns, fifteen cents per tun; over twenty tuns, ten cents per tun. For hides, for one hundred and under, one cent apiece; over one hundred, one-half cent a piece. For peltries, the same rates as are herein provided for weighing hemp. For bacon and meat in bulk and packages, for five tuns or less, forty cents per tun; over five and not exceeding

ten tuns, thirty cents per tun; over ten and not exceeding twenty tuns, twenty-five cents per tun; over twenty tuns, twenty cents per tun. For cotton in bales, for ten bales or under, fifteen cents per bale; over ten and not exceeding twenty bales, ten cents per bale; over twenty and not exceeding one hundred bales, seven cents per bale; over one hundred, five cents per each bale. For pearlash, saleratus, salt, potash, or any other articles of merchandise not heretofore enumerated herein, for twenty or under, five cents per barrel or cask; for over twenty, three cents per barrel or cask. For tobacco, five cents per hundred pounds.

SEC. 5. The register of the City Weigher shall at all times be open to the inspection of any person interested in any weighing done by him.

SEC. 6. The City Weigher who shall first be appointed under this ordinance, may use the Cincinnati standards until the city of Covington is provided with the standard of Kentucky.

SEC. 7. This ordinance shall take effect from its passage, and any ordinance coming within the purview of this is hereby repealed.

SEC. 8. *Be it further ordained by the City Council of Covington*, That hereafter the City Weigher may charge, for weighing pig iron, twelve and a half cents per tun; for blooms, fifteen cents per tun, and for scrap iron twenty-five cents per tun, to be paid by the person at whose instance he does the weighing, and so far as this ordinance conflicts with the ordinance now in existence touching the same subject, said ordinance is hereby repealed.

SEC. 9. *Be it further ordained*, That the City Weigher pay unto the City Treasurer, quarterly, five per cent. of the net proceeds of his office.

Passed April 21, 1853. Approved March 13, 1856.

AN ORDINANCE to further regulate the fees of City Weigher.

SECTION 1. *Be it ordained by the City Council of Covington*, That the City Weigher may charge and receive for his own use, from the person or persons at whose instance he weighs, the following fees and no more, to-wit: For each wagon, dray or cart load of merchandise, produce, or wares of any description, not exceeding 2,000 pounds in weight, the sum of fifteen cents; when the weight exceeds 2,000 pounds, and less than

3,000 pounds, the sum of twenty cents; over 3,000 pounds and under 4,500 pounds, twenty-five cents; over 4,500 pounds, the sum of thirty cents.

SEC. 2. The City Weigher shall pay into the City Treasury, quarterly, five per cent. of all fees collected under the first section of this ordinance.

SEC. 3. All ordinances coming within the purview of this ordinance, are hereby repealed.

Approved April 7, 1864.

AN ORDINANCE providing for the appointment of Inspectors of Elections in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That the Council shall, at the regular meeting of the Board, in the month of December in each year, appoint three qualified voters in each ward of the city, whose duty it shall be to act as Inspectors of Elections, in their respective wards, at all elections that may occur in said city by order of the Council.

SEC. 2. Any two of said Inspectors may superintend an election.

SEC. 3. The Inspectors acting at any election shall appoint a competent person to act as Clerk of the election, who shall, in a fair hand, write the name of each person voting at such election, placing his vote opposite his name in suitable columns in a book, in which a record of the election shall be kept.

SEC. 4. Any acting Inspector, or the Clerk, may administer an oath to any person offering to vote, and require him to answer questions touching his qualifications as a voter.

SEC. 5. Before going into an election, the Inspectors and Clerk shall take an oath, before any officer authorized by law to administer oaths, that they will faithfully discharge the duties enjoined upon them by law, and the certificate of the officer administering the oath shall be returned with the poll-book; and if there be not the requisite number of Inspectors ready to act at the commencement of an election, the City Marshal shall appoint persons to act as Inspector or Inspectors for such elections.

SEC. 6. The City Marshal shall, by himself or his deputies, attend all the voting places during an election, shall open the polls, and keep order during the election, and when the Inspectors disagree as to the right to vote of any one offering, the Marshal or deputy shall decide the question; and the Marshal

may appoint deputies to attend elections, who shall be sworn to discharge faithfully the duties required of them.

SEC. 7. The acting Inspectors, the Clerk and the Marshal, shall receive two dollars per day, each, for the time they may be engaged in any election.

SEC. 8. The elections contemplated by this ordinance shall commence at 7 o'clock A. M., and continue to 5 o'clock P. M., except the space between 12½ o'clock P. M. and 2 o'clock P. M.

SEC. 9. As soon as an election is over, the acting Inspectors shall sign a certificate, to be written at the end of the election book under their charge, declaring the correctness of such book; which certificate shall be attested by the Clerk, and immediately the Clerk shall deliver such book to the City Clerk of Covington, who shall carefully preserve the same and report it to the City Council.

SEC. 10. Any officer required to act by this ordinance, for any failure to discharge the duties herein prescribed for him, shall, on conviction thereof before the Mayor, be fined any sum not exceeding fifty dollars for every such offense.

SEC. 11. All ordinances coming within the purview of this ordinance, are hereby repealed.

Passed March 4, 1853. Approved March 13, 1856.

AN ORDINANCE regulating the Duties and fixing Salary of City Jailor and Keeper of the Poor House.

SECTION 1. *Be it ordained by the City Council of Covington*, That the officer whose duty it is to keep the City Jail, Work House and the City Poor House, shall be known as City Jailor, who shall be elected by the legal voters of the city on the first Saturday in January, and who shall hold his office for two years, and until his successor is elected and qualified. He shall be removable, however, at the pleasure of the Board, when two-thirds of the members vote for his removal.

SEC. 2. Before entering upon the duties of his office, the City Jailor shall take an oath to faithfully discharge the duties thereof, and shall give bond with good security, in the penalty of two thousand dollars, for the faithful discharge of all the duties that may be devolved upon him.

SEC. 3. He shall receive into his custody all persons that may be committed to the Jail or Work House, by the Mayor of the city, or any Justice of the Peace having power to commit under the city ordinances, and shall cause such person or

persons to perform such labor as may be directed by the Magistrate committing, or by ordinance, and he must release such prisoner or prisoners at the expiration of the time of commitment, or sooner if the Council shall direct a release; and whenever the City Marshal, or any police officer of the city, shall have in custody any person or persons with directions from the Mayor to detain such person or persons for any stated time, it shall be the duty of the City Jailor to afford such officer all the assistance in his power for the safe keeping of such prisoners during such stated time, by confinement in the City Jail or otherwise, and the Jailor, when requested by the Marshal or other police officers, shall aid him in the safe keeping of any person arrested, from the time of the arrest to the time of taking him before the Magistrate.

Sec. 4. The City Jailor shall carefully preserve all the property of the city which may be in his possession, and shall take good care of the buildings under his charge, and shall report to the Board any damage which may be done to the same, and shall keep the same in a cleanly condition.

Sec. 5. He shall provide wholesome diet and comfortable lodging for persons placed in the Poor House. Paupers may be placed in the Poor House by an order in writing from a member of the City Council for the ward in which the pauper last resided, or, in the absence of such member, by the written order of any two members of the City Council.

Sec. 6. Persons committed to the Jail or Work House in pursuance of this ordinance, shall be confined to hard labor at breaking rock, and such other work as may be directed by ordinance.

Sec. 7. Whenever stone or other material are needed for the Work House, and furniture or fixtures for the Poor House, the City Jailor shall report the necessary information to the Council.

Sec. 8. No person under the age of twelve years shall be placed in the Poor House, nor any person who has not resided in the city for six months, unless by order of the City Council; and any person may be removed from the Poor House by the authority placing him or her there.

Sec. 9. The following fees shall be allowed the City Jailor for services required of him: For receiving each person committed to the Work House or Jail, twenty-five cents; for releasing a person from the Work House or Jail, twenty-five cents; for boarding each person in the Jail or Work House, thirty-three cents per day; for keeping a slave in Jail when

authorized by the Mayor, fifty cents per day, to be paid by the person at whose instance he may receive the slave; for obtaining and disposing of materials for the Work House, such compensation as shall be allowed by the Board; for boarding and taking care of each person in the Poor House, per day, thirty cents. If the Jailor shall in any case charge more than he is allowed by this ordinance, upon conviction thereof he shall be fined by the Mayor in any sum not exceeding twenty-five dollars.

SEC. 10. For permitting any person in the Jail, Work House, or Poor House, to use intoxicating liquors, unless directed by the City Physician, the City Jailor, for every such offense, on conviction thereof before the Mayor, shall be fined in any sum not exceeding ten dollars.

SEC. 11. The City Jailor shall be keeper of the City Jail, City Work House, and the City Poor House, until the City Council shall by ordinance provide a different arrangement.

SEC. 12. It shall be the duty of the City Jailor to act as Janitor for the City Council, and for his services shall receive fifty cents for each meeting.

SEC. 13. That the Jailor be and he is hereby allowed two hundred dollars per annum, payable quarterly, in addition to the compensation allowed in the ninth section of this ordinance, and this additional compensation shall commence on the 1st day of April, 1856.

SEC. 14. *Be it further ordained*, That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed March 4, 1850. Revised and approved March 13, 1856.

AN ORDINANCE regulating the Fees of City Jailor and Keeper of the Poor House.

SECTION 1. *Be it ordained by the City Council of Covington*, That the following fees shall be allowed to the City Jailor for services required of him: For receiving each person committed to the Work House or Jail, twenty-five cents; for releasing a person from the Work House or Jail, twenty-five cents.

SEC. 2. For boarding each person in the Jail or Work House, thirty-one cents per day; for keeping a slave in Jail, when authorized by the Mayor, sixty cents per day, to be paid by the person at whose instance he may receive the slave; for

obtaining and disposing of materials for the Work House, such compensation as shall be allowed by the Board.

Sec. 3. For boarding and taking care of each person in the Poor House, over twelve years old, twenty-eight cents per day, and under twelve years old, twenty-five cents per day; for children under six months, when their mother is with them, nothing.

Sec. 4. If the Jailor shall in any case charge more than he is allowed by this ordinance, upon conviction thereof he shall be fined by the Mayor in any sum not exceeding twenty-five dollars.

Sec. 5. *Be it further ordained*, That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed.

Approved April 7, 1864.

AN ORDINANCE regulating the admission of Children under twelve years of age to the Poor House.

Section 1. *Be it ordained by the City Council of Covington*, That section eight of an ordinance entitled an ordinance regulating the duties and fixing the salary of the City Jailor and Keeper of the Poor House, be so amended as to authorize the admission of children under twelve years of age in the same manner as other paupers are now admitted, and subject to removal in like manner as is now prescribed.

Sec. 2. *Be it further ordained*, That the Keeper of the Poor House shall be allowed, for all such children under twelve years of age, excepting children which are being nursed by their mothers, two-thirds of the amount now allowed by law for keeping adult paupers, and no more.

Sec. 3. *Be it further ordained*, That in all cases the allowance for board shall be in full for board and washing.

Sec. 4. *Be it further ordained*, That all ordinances within the purview of the foregoing, be and the same are hereby repealed.

Approved August 9, 1860.

AN ORDINANCE regulating the sale of Wood and the Duties of the Wood Measurer.

Section 1. *Be it ordained by the City Council of Covington*, That no person shall hereafter sell any fire wood in the city of Covington from any wagon, sled, cart or other vehicle, unless

such fire wood shall have been first measured and marked as hereinafter required, nor unless the mark showing the quantity of said wood shall, at the time of such sale, be and remain on some conspicuous part of the wood; and any person offending against this provision, shall, for each offense, on conviction thereof before the Mayor, be fined in a sum not exceeding twenty-five dollars, and not less than five dollars, with costs of prosecution: *Provided*, that it shall be a sufficient defense to such prosecution, for such person to show that the wood so sold, had been on the day of sale carried to one of the named places for measurement hereinafter designated, and there remained for one full hour, during which neither the Wood Measurer or his deputy was present at such place prepared to measure the same.

SEC. 2. *Be it further ordained*, That an officer shall be elected every two years, to be called the City Wood Measurer; who, before he shall enter upon the duties of his office, shall enter into bond with good and sufficient security, to be approved by the City Council, in the sum of one thousand dollars, conditioned for the faithful discharge of the duties of his office, and shall take an oath or affirmation before the Mayor, or some Justice of the Peace, well and truly to perform the same.

SEC. 3. *Be it further ordained*, That the Wood Measurer shall have power, subject to the approval of the City Council, to appoint one or more deputies to assist him in the duties of his office, at such times as the public convenience may require, each of whom shall, before entering upon the duties of his office, take an oath or affirmation before the Mayor, or some Justice of the Peace, well and truly to perform the same: *Provided*, that the Wood Measurer and his securities shall be held responsible for all violations of duty or failure in the performance thereof by the said deputies or either of them.

SEC. 4. *Be it further ordained*, That the Lower Market-space and Seventh-street Market-space, be and they are hereby designated as the places at which fire wood shall be measured and marked by the Wood Measurer or his deputies; and for that purpose all fire wood sold in the city of Covington shall be carried to one or the other of the said places, unless the same shall have been previously measured and marked by the Measurer or one of his deputies. And the hours for measuring wood shall be from 5 o'clock A. M. until 7 o'clock P. M., from the 1st day of April until the 1st day of October; and from 7 o'clock A. M. until 5 o'clock P. M. from the 1st day of October until the 1st day of April of each year.

Sec. 5. *Be it further ordained*, That from and after the 1st day of March next, all fire wood brought to market within this city, shall be at least four feet in length, including one-half of the kerf, and the cord shall be computed at the rate of eight feet in length, four feet in breadth and four feet in hight, well stowed and packed: *Provided*, that if the deficiency in the average length of any such wood shall not exceed six inches, the same may be measured, and allowance made for the same of double such deficiency. And the City Wood Measurer shall not, by himself or his deputies, mark any wood as having been measured, which shall not be prepared in compliance with this ordinance, and brought to market on a vehicle so constructed that the same may be conveniently measured without removal.

Sec. 6. *Be it further ordained*, That it shall be the duty of the City Wood Measurer, by himself or one of his deputies, to be present and attend during some part of each and every hour for wood measuring, of every day, (Sundays excepted,) at each of the places designated for measuring wood, with a suitable standard measure, and then and there to measure and inspect all fire wood properly prepared and brought to the said places, immediately on its arrival, and ascertain the quantity thereof in each vehicle, making a fair and reasonable allowance for loss sustained by crooked and uneven wood, and estimating the cord to contain one hundred and twenty-eight cubic feet, and to mark in figures, on some conspicuous place or places, of each parcel, the number of feet contained therein, and also, if required by the person bringing the wood, to give to him a certificate setting forth the quantity and the date of such measurement. And in the performance of the duty hereby required of the said Measurer, he shall not remove the wood from the vehicle on which it may be brought.

Sec. 7. *Be it further ordained*, That the Wood Measurer, by himself or his deputy, shall be entitled to demand and receive, of the owner or person in possession of the wood so measured, a fee of ten cents for each parcel of one cord or more, five cents for each parcel of less than one cord and not less than one-half of a cord, and three cents for each parcel of less than one-half of a cord, which fee shall be paid before the wood is marked, if required by the Measurer.

Sec. 8. *Be it further ordained*, That all ordinances coming in purview of this ordinance, be and are hereby repealed.

Passed February 22, 1855. Revised and approved March 13, 1856.

AN ORDINANCE regulating the sale of Wood and duty of Wood Measurer.

Be it ordained by the City Council of Covington, That the first section of an ordinance passed February 22, 1855, revised and approved March 13, 1856, entitled an ordinance regulating the sale of wood and the duties of the Wood Measurer, be so amended as to provide that any person violating the provision of said first section of said ordinance, shall, for each offense, on conviction thereof before the Mayor, be fined in a sum of not less than one dollar, nor more than twenty-five dollars, with costs of prosecution.

Approved April 1, 1858.

AN ORDINANCE further regulating the duties of Receiving Officers of the City.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be the duty of the City Marshal, City Collector, and of each and every other officer of the city of Covington, who, or whose deputy or deputies, shall receive money or scrip belonging to the city, whether on account of taxes, fines, penalties, forfeitures, licenses, or from any other source, or who shall be, by the ordinance of the City Council, or statutes of the State of Kentucky, authorized or required to receive money or scrip belonging to the city, on or before the fifth day of each calendar month, to make a report in writing, signed by such officer, to the Treasurer of the city, of all such moneys or scrip so received by him or his deputies during the preceding month, with a detailed statement showing the source from which each item thereof was received, and whether the same was received in money or scrip, and also to pay over and deliver to the Treasurer the balance of money and scrip shown by the said report to be in the hands of such officer or his deputies, belonging to the city.

SEC. 2. *Be it further ordained*, That it shall be the duty of the City Treasurer to return to the City Council, at its first regular meeting after the 10th day of each successive calendar month, all the reports which shall have been made to him in obedience to the first section of this ordinance, with a statement in writing signed by the Treasurer, showing the amount received by him from each officer, distinguishing between money and scrip; and an abstract of all receipts and payments made by him on account of the city, during the month next preceding and including the 5th day of the current month; and the balance in his hands as Treasurer at the close of such

abstract; and also, at the same time, to report in writing to the Council the name of each receiving officer of the city who shall have failed, since his last preceding report, to have made the return required by the said first section.

Sec. 3. *Be it further ordained*, That it shall be the duty of the City Attorney, at least once in each calendar month, to examine carefully the docket of each Justice of the Peace in the city of Covington, and of the Mayor of the city, and to ascertain therefrom all fines, forfeitures, and penalties on recognizances or penal bonds, which may have been assessed or recovered in the Court of such Justice or Mayor for use of city, during the month next preceding such examination; and the names of the officer or officers to whose hands the execution for such fines, penalties or forfeitures may have been committed, or to whom the amounts thereof may have been paid; and the said Attorney shall report in writing to the City Council, at its first regular meeting after the 10th day of each calendar month, the result of such examination so made by him, showing the amount of each fine, penalty or forfeiture assessed or recovered, and the name of the officer to whose hands the execution therefor may have come, or to whom the amount thereof may have been paid.

Sec. 4. *Be it further ordained*, That if any officer shall fail or omit to discharge any duty required of him by the foregoing sections of this ordinance, he shall forfeit and pay a sum not less than five dollars nor more than fifty dollars, for each and every such failure, recoverable by motion before the Mayor of the city, on ten days previous notice; and the fine hereby provided for, and proceedings under this ordinance, shall in no case relieve such officer from the other penalties incurred or to be incurred under the statutes and ordinances now in force, for failing to account for and pay over funds belonging to the city.

Sec. 5. *Be it further ordained*, That the reports made in pursuance of this ordinance shall be referred to the Committee on Ways and Means, whose duty it shall be carefully to examine the same, and at the next succeeding meeting to return to the Council a list of all delinquent officers, with the amount, if any, appearing due by each to the city, and to recommend the appropriate action in each case. The several reports required by this ordinance, after being examined by the Committee, shall be returned to the Clerk, to be preserved by him among the files of his office.

Sec. 6. *Be it further ordained*, That this ordinance shall be

in force and take effect from and after the 1st day of March next.

Passed February 22, 1855. Revised and approved March 13, 1856.

AN ORDINANCE to regulate the Markets of the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That the regular market days of the city shall be every day in the week except Sunday. At the Seventh-street Market-space on Mondays, Wednesdays and Fridays, and at the Lower Market-space on Tuesdays, Thursdays and Saturdays. The Saturday evening market shall be alternately at the two market-spaces, between the hours of six and nine o'clock P. M., from the 1st of May to the 1st of October, and from the 1st of October to the 1st of May, between the hours of four and seven o'clock P. M.

SEC. 2. Market hours in the morning shall be from daylight until 10 o'clock, from the 1st of October until the 1st of May, and from the 1st of May to the 1st of October, from daylight until 9 o'clock. And no person shall offer for sale on the streets during market hours any butcher's meat, poultry, vegetables, or other articles of provisions of the kind usually offered for sale in the market-places; and no one shall offer for sale such meats, poultry, vegetables and other articles of provisions in the market-places, at any other time than during market hours.

SEC. 3. No person shall kill, dress, or prepare for sale, any thing in the market-places, or put any dirt, rubbish or filth therein.

SEC. 4. Every person occupying a butcher's stall or other stand in a market-place, shall leave the same clean and in good order at the expiration of the market hours.

SEC. 5. No person shall occupy any of the stalls or stands in the market-houses, unless he shall have first rented such stall or stand from the Market Master. A butcher's stall shall not be rented for a less term than six months, nor for less than one dollar and a half per month, the rent for the whole term for which it may be rented to be paid to the Market Master in advance; and any stand other than a butcher's stall shall not be rented for a less term than three months, nor for less than fifty cents per month, the rent for the whole term for which it may be rented to be paid to the Market Master in advance. No stall or stand shall in any manner be transferred

by the person renting it, but as soon as he shall have failed to use it in good faith for the purposes for which it was rented, for two consecutive market days, it shall be forfeited to the city, and the Market Master shall proceed to rent it to some one else.

Sec. 6. No person shall fasten any horse or other animal to the railing or other parts of the market-houses or the fixtures appurtenant thereto, nor drive or pull any vehicle over the floors of the market-houses.

Sec. 7. No person shall occupy any part of the market-places away from the market-houses without the permission of the Market Master.

Sec. 8. It shall be the duty of the Market Master to procure all the necessary weights and measures, and to take good care of them. He must have them examined, tested and sealed by the Inspector and Sealer of Weights and Measures, once in every six months, and, when necessary, he shall, by such weights and measures, test the articles offered for sale in the markets.

Sec. 9. The Market Master shall cause the market-houses to be kept neat and clean. He shall cause wagons, teams and other vehicles to so occupy the market-spaces as best to suit the convenience of the public and of buyers and sellers. He shall preserve order during market hours. He shall prevent and remove all obstructions and nuisances in the markets. He shall remove vagrants and disorderly persons from the market-houses. He shall, under the direction of the Committee on Markets, arrange and adjust the stalls and stands in the market-houses when they may be vacant, and make changes in their character when it is thought proper and advantageous.

Sec. 10. The Market Master shall pay into the City Treasury, on the first Saturday of every month, all the moneys he may have collected as Market Master, furnishing the Treasurer with the names of the persons from whom he received it, with the amount from each respectively; and he shall take a receipt from the Treasurer every time he makes a payment, a copy of which he shall furnish to the City Clerk to be filed in his office.

Sec. 11. It shall be the special duty of the Market Master to report to the Mayor all violations of the ordinance regulating the markets which may have been committed, and the names of the persons committing the violation. And the Mayor is authorized to impose a fine for any violation of

the ordinances governing the markets, not to exceed fifty dollars.

SEC. 12. Any person who shall inform the Mayor of a violation of any ordinance regulating the markets, committed by the Market Master, shall be entitled to one-half the fine that may be imposed upon the Market Master for such violation.

SEC. 13. The salary of the Market Master shall be two hundred and fifty dollars a year, payable quarterly, by order on the Treasurer.

SEC. 14. The Market Master shall give bond, with security or securities worth at least one thousand five hundred dollars, to be approved by the Council, and filed in the Clerk's office of the city.

SEC. 15. That any person or persons who shall buy, or cause to be bought, any article of provision whatever, or corn, or oats, or other things usually offered in the market-place, designed for, and actually going to market, before the same shall arrive in market after entering the corporation, or after the arrival and before the opening of the market, for the purpose of exporting or reselling the same, shall forfeit and pay, on conviction thereof before the Mayor, for every such offense, with costs of suit, any sum not less than five dollars, nor more than fifty dollars, one-half to the use of the informer, and one-half to the use of the city.

SEC. 16. That it shall not be lawful for any person or persons whomsoever, to buy or procure, or by any means to be bought, any article of provision, corn, oats, or any other thing usually offered in the market-places, which may be offered in the market-places, or which may be offered for sale in said market during market hours, for the purpose of either exporting or reselling the same.

SEC. 17. Nor shall it be lawful for any person or persons to enter into any contract or agreement during market hours, for the purchase of any article of provision, corn, oats, or any other thing brought to be offered in the market, for the purpose of reselling, exporting or distilling the same; and every person so offending shall, upon conviction thereof, as aforesaid, be fined in any sum not less than five dollars nor more than fifty dollars, to be recovered as hereinbefore provided, and to be applied as aforesaid.

SEC. 18. That no person or persons shall, without the consent of the Market Master, and under his direction, expose for sale during market hours any fresh meat less than by the

quarter, unless the person or persons so exposing the same shall have obtained the use of a butcher's stall, by renting the same of the Market Master; and any person who shall be guilty thereof, shall, on conviction, be fined in any sum not more than ten dollars for each offense, to be recoverable as aforesaid, and applied as heretofore provided.

SEC. 19. That if any person or persons shall offer for sale, in any of the markets of the city, any butter, lard, or other articles, purporting to be one or more pounds weight, or shall employ any device for imposition or fraud in the sale of any provisions, and if the articles so offered shall be found deficient in weight or measure, upon being weighed or measured by the Market Master, said lard, butter, or other provisions, shall be forfeited to the city, and taken possession of by the Market Master, who shall sell the same to the highest bidder for the benefit of the city, and place the proceeds thereof in the City Treasury.

SEC. 20. That if any person or persons shall offer for sale, in market, any putrid or spoiled meats, or vegetables, in a decomposed or spoiled condition, upon conviction thereof before the Mayor, he, she or they shall be fined in a sum not less than five dollars nor more than ten.

SEC. 21. *Be it further ordained*, That all ordinances conflicting with this ordinance be and the same are hereby repealed.

Passed April 6, 1855. Revised and approved March 13, 1856.

AN ORDINANCE concerning the selling of Meats.

SECTION 1. *Be it ordained by the City Council of Covington*, That from and after the passage of this ordinance, all regular butchers who rent and occupy stalls in the market-houses of the city, or either of them, may use and occupy their meat shops after market hours, every day in the week except Sunday, for retailing meats, without obtaining license to use said meat houses.

SEC. 2. *Be it further ordained*, That any butcher violating the provisions of this ordinance shall, upon conviction thereof before the Mayor, be fined not less than two dollars and a half nor more than ten dollars for each offense, and costs of suit.

Passed November 24, 1853. Revised March 13, 1856.

AN ORDINANCE amending an ordinance regulating the Markets of the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That the fifth section of an ordinance entitled an ordinance to regulate the markets of the city of Covington, passed April 6, 1855, be so amended as to read as follows: No person shall occupy any of the stalls or stands in any of the market-houses, unless he shall have first rented such stall or stand from the Market Master. No stand or stall shall be rented for a less term than six months, the rent to be paid in advance to the Market Master, at the following rates, to-wit: For butchers' stalls, $9 for six months in each market-house; and for other stands than butchers' stalls, $5 for six months in each market-house, excepting the stands on the north and outer side of Seventh-street and Lower Market-houses, which may be rented for $3 for six months each. And the Market Master shall not permit horses and wagons to stand on either side of either of the market-houses during market hours. No stall or stand shall in any name be transferred by the person renting it, without the consent of the Market Master.

SEC. 2. *Be it further ordained*, That all the provisions of said fifth section not re-enacted in the first section of this ordinance, be and the same are hereby repealed.

Approved March 1, 1860.

AN ORDINANCE to regulate the Markets in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That the regular market days of the city shall be every day in the week except Sunday, viz.: At Eleventh-street Market-space on Mondays and Thursdays, and at the Seventh-street Market-space on Tuesdays and Fridays; at the Lower Market-space on Wednesdays and Saturdays, and at the Sixth-street Market-space on Mondays and Thursdays, (the same days as the Eleventh;) the Saturday evening market hours from 4 o'clock P. M. until 9 o'clock P. M.; market hours in the morning, as per section second of market ordinance passed April 6, 1855.

SEC. 2. *Be it ordained*, That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed, and that this ordinance takes effect from its passage.

Approved September 17, 1863.

AN ORDINANCE for punishing Misdemeanors.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be unlawful for any person to cut, injure, or deface, by marking or otherwise, public or private property within the city; and upon conviction of same, shall forfeit and pay a sum not exceeding ten dollars, at the discretion of the Mayor.

SEC. 2. That if any person shall drive a wagon, cart, dray or any other vehicle, on any street or alley in the city, or ride on horseback, otherwise than in a walk or moderate trot or pace, he or they, upon conviction thereof, shall forfeit and pay not more than five dollars, at the discretion of the Mayor.

SEC. 3. That if any person or persons shall disturb any lawful assembly or meeting for religious worship, or commit a riot or breach of the peace in said city, shall, upon conviction, for each offense, forfeit and pay a sum not exceeding one hundred dollars, to be assessed by a jury.

SEC. 4. That no brickmason, stonemason, plasterer, or manufacturing establishment, shall use any public pump or well, to procure water to carry on their business, under the penalty of two dollars for every such offense.

SEC. 5. That no person within the city shall beat or otherwise injure any horse or other animal in an immoderate, cruel or unnecessary manner, under the penalty of five dollars for each offense and costs of suit.

SEC. 6. That if any by-stander, when commanded by the Marshal or his deputies, shall refuse or neglect to aid him in apprehending and conveying to the Mayor's office or jail any offender against the ordinances of the city, he shall, on conviction thereof, be fined in any sum not exceeding ten dollars nor less than three dollars.

SEC. 7. That any person convicted of any offense under any ordinance of this city now in force, or that shall hereafter be passed by the City Council, shall pay the costs of the prosecution in addition to the fine assessed.

SEC. 8. *Be it further ordained*, That any person offending against any of the ordinances of the city, who shall refuse or fail to pay the fines and forfeitures imposed by the ordinances of the city, after being convicted thereof, shall be confined in the Work House of said city until the labor performed by him or her shall amount to the sum equal to such fine or forfeiture and costs, estimating the labor at fifty cents per day.

SEC. 9. *Be it further ordained*, That if any person or persons shall deface, cut, or injure in any manner, any shade or

ornamental tree or trees, set out or growing upon the public square or sidewalks of the city, or cut, deface, or destroy any boxes inclosing trees, he, she or they shall, for every such offense, forfeit and pay, upon conviction thereof before the Mayor, any sum not exceeding ten dollars and costs of suit.

SEC. 10. *Be it further ordained*, That if any person or persons shall stop upon the sidewalks, streets, alleys, market-spaces or public squares in the city, for the purpose of discharging urine or performing other offices of nature, or shall indecently expose their persons, he, she or they, upon conviction before the Mayor, shall be fined in a sum not less than five nor more than ten dollars, at the discretion of the Mayor.

SEC. 11. *Be it further ordained*, That if any person or persons shall use vulgar and obscene language on the streets, sidewalks, or market-spaces, or wharf, in the city, and shall so utter such language as to be heard by persons ordinarily passing the streets, alleys, market-spaces, etc., or shall make vulgar and obscene gestures in public places in said city, they shall forfeit and pay, upon conviction before the Mayor, any sum not exceeding ten dollars and costs, for such offense.

SEC. 12. *Be it further ordained*, That any person or persons making a disturbance of the peace and order of the city, in the day or night time, by quarreling, or in any manner, upon conviction thereof shall be fined any sum not exceeding ten dollars and costs.

SEC. 13. *Be it further ordained*, That if any person shall upon the Sabbath-day play, in the streets or public places within the city, with marbles, hoops, or at any other game, to the annoyance of the citizens, he, she or they shall forfeit any sum not exceeding two dollars: if infants, to be recovered from their parents or guardians; if slaves, from their masters.

SEC. 14. *Be it further ordained*, That if any person or persons whatever, do, or shall, at any time or times, play at or with cards, dice, or any other game or games of chance, or by having a share or part in any stakes, wagers or adventures in, or by betting on the sides or hands of such as do or shall play, whether for money or other thing, within the limits of the city of Covington, in any street, alley, common, or in and upon the premises of any one in the said city, he, she or they shall be fined, upon conviction before the Mayor, in any sum not less than five dollars nor more than sixteen dollars.

SEC. 15. *Be it further ordained*, That if any person or persons shall carry any concealed and unlawful weapons, such as pistols, knuckles, slung-shot, dirks, Bowie-knives, about their

persons, except the officers of the law, they shall, upon conviction thereof before the Mayor, be fined in any sum not exceeding fifty dollars and costs of prosecution.

Sec. 16. *Be it further ordained*, That if any person or persons shall be found guilty of shooting with guns, pistols, or any species of fire-arms, in said city, at any time, they shall be fined before the Mayor in any sum not less than ten dollars nor more than fifty dollars and costs of prosecution.

Sec. 17. *Be it further ordained*, That all ordinances conflicting with this ordinance be and the same are hereby repealed.

Passed March 10, 1856.

AN ORDINANCE amending an Ordinance entitled an Ordinance for punishing Misdemeanors.

Section 1. *Be it ordained by the City Council of Covington*, That the sixteenth section of the ordinance to which this is an amendment, be so amended as to read: That if any person or persons shall be found guilty of shooting off any gun, pistol, musket, or any species of fire-arms, within the corporate limits of said city, in the day or night time, he, she or they shall, upon conviction thereof before the Mayor, be fined in any sum not to exceed ten dollars, with costs of prosecution.

Sec. 2. *Be it further ordained*, That if any person or persons shall be found loitering about or visiting bawdy houses or houses of ill-fame, within said city, or shall be found drunk along the streets, sidewalks, or public squares, or market-houses in said city, shall, on conviction thereof before the Mayor, be fined in any sum, the former not to exceed ten dollars and costs, and the latter one dollar and costs.

Sec. 3. *Be it further ordained*, That if any person or persons shall resist the Marshal or his deputies, or any other legally constituted and appointed officer having police powers in said city, in the proper discharge of their duties, such person shall, on conviction thereof before the Mayor, be fined in any sum not exceeding fifty dollars, and not less than five dollars and costs.

Sec. 4. *Be it further ordained*, That any person or persons who shall willfully or recklessly go into, and out of, a room or house where there is a case of small-pox, whereby the same might be communicated to others, shall, upon conviction thereof before the Mayor, be fined in any sum not exceeding twenty-five dollars.

SEC. 5. All ordinances coming in conflict with this ordinance are hereby repealed.

Approved June 2, 1864.

AN ORDINANCE to suppress disturbances produced by Fire-works in the Streets.

SECTION 1. *Be it ordained by the City Council of Covington*, That hereafter it shall be the duty of the City Marshal and his deputies, the City Jailor, the Street Commissioner and the Wharf Master, to apprehend any person and all persons who may be found burning and discharging shooting crackers in the improved streets and alleys, and other public places in the city, or sporting with any other fire-works, pistols, or other fire-arms, in such parts of the city; and after apprehending such person or persons, the said officer or officers shall take him or them before the Mayor of the city, to be dealt with as hereinafter provided.

SEC. 2. The Marshal may appoint as many special deputies in the city, for the purpose of carrying into execution the foregoing section, as he may consider necessary, but such appointments must have the approval of the Mayor.

SEC. 3. When any person shall be brought before the Mayor, according to the first section of this ordinance, and convicted of any of the offenses therein indicated, the Mayor may fine such person in any sum not exceeding five dollars and the costs of prosecution: *Provided*, he shall deem the person convicted capable of committing an offense; and in all cases of prosecution under this ordinance, one dollar shall be taxed in the costs, to be paid to the officer apprehending, and the judgments in such cases may be collected as any other fines assessed by the Mayor.

SEC. 4. Whenever any person shall be convicted under this ordinance, who, in the judgment of the Mayor, is incapable of committing an offense, because too young, such person shall be sent to his or her parent or guardian, and if brought before the Mayor afterward for a like offense, and convicted, the parent or guardian shall be fined agreeably to the provisions of the third section of this ordinance: *Provided*, such parent or guardian shall be first summoned to answer to the charge of knowingly permitting the child to commit the offense.

Passed December 15, 1854. Revised and approved March 13, 1856.

AN ORDINANCE to prevent Wagons, Carriages, etc., from standing on Streets, Alleys, etc., in City.

SECTION 1. *Be it ordained by the City Council of Covington*, That no person or persons shall obstruct, or suffer to remain in any street or alley, any stage, wagon, dray, cart or other carriage, finished or unfinished, during the night time, or intercept the free crossings at intersections, or at any walk across any street or alley, at any time, under the penalty of not less than one nor more than five dollars, for any such offense, upon conviction thereof before the Mayor.

SEC. 2. It shall be the duty of the City Marshal, his deputies, and Street Commissioner, to see that this ordinance is complied with.

SEC. 3. *Be it further ordained*, That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed April 4, 1856.

AN ORDINANCE to abate Nuisances in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be unlawful for any person or persons to permit to remain on their premises any privy or other nuisance so as to annoy or be offensive to their neighbors; and when such privy or other nuisance shall be permitted to remain, the owner or occupant of the premises shall abate or remove the same, after being notified himself, or his or their agent notified, by the Street Commissioner; they shall remove the same, and upon failure to do so, he, she or they shall be fined in any sum not exceeding ten dollars, at the discretion of the Mayor.

SEC. 2. That any person or persons owning or having control of a cellar or cellars opening on any of the public sidewalks or alleys, who shall suffer the doors thereof to remain open in the night, shall, upon conviction thereof, forfeit and pay a fine of two dollars for every such offense.

SEC. 3. That if any person or persons shall keep a house of ill-fame in the corporate limits of the city, at which lewd and obscene acts are perpetrated, or such a house as may become a nuisance and offensive to the neighbors, they shall, for every twenty-four hours, be subject to a fine not exceeding twenty dollars, at the discretion of the Mayor; and if any person shall rent a house for such purpose, and permit to be used and

occupied after he has been informed of the fact, without taking steps to remove the occupants, he, she or they shall be fined in any sum not exceeding fifty dollars, with costs of suit, on conviction thereof before the Mayor.

SEC. 4. That no bitch or slut shall be permitted to run at large in any street, alley, public grounds or wharf, when rutting, under a penalty of five dollars, to be recovered of the owner of such bitch or slut, for each offense.

SEC. 5. That if any person or persons shall cast or lay, or cause to be cast and laid, any obstruction, or nuisance whatever, on any pavement, or in any of the streets, alleys, public grounds, wharves or landings of the city, he, she or they shall be notified by the Street Commissioner to remove the same, and if not done in twenty-four hours after due notice is given, upon conviction before the Mayor, shall pay a fine not less than two dollars and costs of suit.

SEC. 6. *Be it further ordained*, That hereafter when any fine or penalty shall be assessed by the Mayor of the city against minors or infants for violation of the ordinances of said city, and the same is not promptly paid or replevied by the parent or guardian of said minor or infant, the Mayor shall forthwith issue a *capias pro fine* thereon, and direct the Marshal to take said minor or infant into custody, and deliver him, her or them, over to the City Jailor, there to be kept at labor until such fine shall have been discharged, at the rates of fifty cents per day.

SEC. 7. *Be it further ordained*, That all ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed April 8, 1856.

AN ORDINANCE to amend the several Ordinances providing for the abatement and removal of Nuisances on the Streets, etc.

SECTION 1. *Be it ordained by the City Council of Covington*, That if any driver, owner, or person having the charge of any cart, dray, wagon, stage or other vehicle, new or old, finished or unfinished, shall suffer the same to be and remain in any street, lane or alley, sidewalk or common, within said city, in such situation as to interrupt the convenient passage of the same, or to incommode the owner or occupant of any building, or shall stop any such cart, dray, wagon, stage or other vehicle, so as to interrupt the crossing at the intersections of any street, lane or alley, and shall not immediately remove

the same on request being made, or shall be absent from such cart, dray, wagon, stage or other vehicle, if a horse or other beast shall be attached thereto, so that such request can not be made, any person so offending, for the first offense shall forfeit and pay any sum not exceeding five dollars, with costs of prosecution: *Provided*, that nothing in this ordinance shall be so construed as to interfere with market wagons, on market days and evenings previous thereto, while attending markets; but persons so attending markets shall not be permitted, under this provision, to place their carts, wagons, or other vehicles, in any street, lane, alley, or common, within the city, except in places assigned by the Market Master.

Sec. 2. That if any person shall keep, and permit to remain, on or over any sidewalk in said city, any carriage, cart, sleigh, wagon, or other vehicle, or any animal, or any coal, wood, merchandise, or other substance, so as to prevent or obstruct the convenient passage of persons along such sidewalks, every person so offending shall, on conviction thereof before the Mayor, be fined in any sum not exceeding fifty dollars with the costs of suit, for the first offense, and for an offense after a previous conviction, in any sum not exceeding fifty dollars nor less than twenty dollars, with costs of suit.

Sec. 3. That if any person or persons (except persons attending markets and complying with the market ordinances,) shall keep, or permit to remain, any box, barrel, hogshead, crate, iron, coal, wood, dirt, rubbish, brick, stone, or other movable articles or substance, on or over any street, lane, alley, sidewalk, market-space, public ground, public landing or common, in said city, longer than a reasonable time in the loading, unloading or removing of the same, every person so offending shall, on conviction thereof before the Mayor, be fined in any sum not exceeding fifty dollars, with costs of suit, for the first offense, and for an offense after conviction, in any sum not exceeding fifty dollars nor less than twenty dollars, with costs of suit.

Sec. 4. That any person erecting any new building or repairing an old one may, by a permit in writing, obtained from the Street Commissioner, place building material on part of the sidewalk, and on the street between the curbstone and the middle of the street, but not in such manner as to prevent persons from passing along the sidewalk, nor in such manner as to cover the gutter, or prevent the water from flowing freely in the same; and this privilege shall not be allowed in narrow streets, lanes or alleys, whereby the passage of wagons

and carriages would be prevented. Such building material shall not in any case be deposited more than thirteen feet from the curbstone toward the middle of the street, or in any case further from the curbstone than the middle of the street. The permit of the Street Commissioner shall specify the ground to be occupied, and shall not extend more than four months without a renewal from time to time, and any one renewal shall not be more than two months: *Provided*, that no person having the privilege herein granted, shall, on any street or public ground, work on or prepare any wood, stone, iron or other material, which might be prepared elsewhere for such building, or permit the same to be done.

SEC. 5. That the Street Commissioner is hereby given jurisdiction, concurrent with the City Marshal, to arrest, with or without warrant, all persons who may be guilty of a violation of any of the provisions of this ordinance, and to do any other act in the premises which might be lawfully done by the City Marshal, and for all such services he shall be entitled to the same fees, to be taxed in the suit, to which the City Marshal, by the laws and ordinances of the city, is entitled for like services.

SEC. 6. No notice, except herein expressly provided, shall be required to be given to any person violating the provisions of this ordinance, any thing in any ordinance heretofore passed to the contrary notwithstanding; and all ordinances and parts of ordinances, contrary to the provisions of this ordinance, are hereby repealed.

Approved November 12, 1863.

AN ORDINANCE for the protection of Sidewalks, Curbing, etc.

SECTION 1. *Be it ordained by the City Council of Covington*, That hereafter if any person or persons shall willfully, maliciously or carelessly injure or destroy any curbing or pavements, in the streets, public squares or market-spaces, by any means whatsoever, he, she or they, so offending, shall forfeit and pay, on conviction thereof before the Mayor, any sum not exceeding ten dollars, with costs of prosecution.

SEC. 2. *Be it further ordained*, That if any person or persons shall willfully or carelessly ride on or drive any wheel carriage or other vehicle, or haul any articles, across any curb or sidewalk, or public places, in said city, he, she or they shall, for every such offense, forfeit and pay, on conviction thereof

before the Mayor, any sum not exceeding ten dollars, and costs: *Provided*, that when it may be necessary to cross a curb or pavement, the party so crossing shall first so guard and protect said curb and sidewalk as that no injury or damage can possibly accrue at said point of crossing.

SEC. 3. *Be it further ordained*, That when any public improvements are progressing or unfinished, if any person or persons shall drive or ride over the same, or in any manner injure or disturb the same, he, she or they shall, on conviction thereof before the Mayor, be fined in any sum not exceeding ten dollars and costs.

Approved December 5, 1863.

AN ORDINANCE providing for the protection of the City Burying Ground.

SECTION 1. *Be it ordained by the City Council of Covington*, That no person shall mutilate, break, or injure, any of the shrubbery or trees in the Burying Ground west of and adjacent to Craig-street, between Fifth and Breman-streets, in this city; nor shall any person break down or remove any of the fence around said burying ground, nor remove, disfigure, break, or displace, any of the head or foot stones in said ground; nor shall any person turn into said ground any hogs, cattle, horses, or other domestic animals.

SEC. 2. *Be it further ordained*, That any person guilty of violating any of the provisions of the first section of this ordinance, shall, on conviction thereof before the Mayor, forfeit and pay a fine of not less than five dollars nor more than fifty dollars, for each offense, and that it shall be the duty of the Marshal and his deputies to diligently enforce this ordinance.

Approved July 27, 1859.

AN ORDINANCE amending an Ordinance entitled an Ordinance for the protection of Public Property, Wells, etc., passed and approved February 23, 1837.

SECTION 1. *Be it ordained by the City Council of Covington*, That from and after the passage of this ordinance, it shall not be lawful for any person or persons to bring within the limits of the Public Square of this city, any horse, mare, or mule, or any other description of stock whatsoever, or hitch or pasture any horses, or mares, or other stock, within the fence or

inclosure of said Public Square, or the trees growing or standing on the sidewalks adjacent thereto, on Third or Greenup-streets, and any person or persons violating these provisions of the ordinance shall, upon conviction thereof before the Mayor, be fined in any sum not exceeding two dollars, and costs of suit.

SEC. 2. *Be it further ordained*, That if any person or persons shall willfully deface any of the public property of this city, or mark or cut the same, or shall wound or cut any shade or ornamental tree or trees set out or growing upon the Public Square, or any of the streets of said city, or any boxes inclosing trees, he, she or they shall, for every such offense, upon conviction thereof before the Mayor, be fined in any sum not exceeding the sum of ten dollars, and costs of suit.

AN ORDINANCE to prevent taking of Stone, Gravel and Earth from the Public Common on the Ohio River.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall not be lawful for any person or persons to dig up, quarry, take or carry away any stone, earth, gravel, in or upon the public common, or in or upon the belt of ground between Front-street and the Ohio river to low water mark, in front of the city of Covington, without first obtaining the consent of the said Council, whether for public or private use.

SEC. 2. And if any person or persons shall hereafter dig up, quarry, take or carry away any stone, earth or gravel, without first obtaining consent as herein provided, he, she or they thus offending shall, upon conviction thereof before the Mayor, be fined in any sum not less than five dollars nor more than twenty dollars for each offense, with costs of suit.

SEC. 3. That if any person or persons shall take any stone, earth or gravel from any street, alley, market-space, or any of the public grounds and highways within the city, they shall, upon conviction thereof before the Mayor, be fined in any sum not exceeding five dollars for each offense, and costs of suit.

SEC. 4. That it shall be the duty of the City Marshal and his deputies, and Street Commissioner, to see that the provisions of this ordinance are complied with.

SEC. 5. *Be it further ordained*, That all ordinances and parts of ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed April 4, 1856.

AN ORDINANCE to protect the Lamp-posts in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That if any person or persons shall unlawfully, by any means whatever, injure or destroy any public gas lamp-post, now erected or hereafter to be erected, on the streets, or alleys, or market-spaces in said city, or any pipes, glass, or other fixtures, lamps, or burners connected with said lamp-posts, or shall let on the gas or extinguish the light, not being authorized so to do, or shall unscrew or remove the burners, every such person or persons, his or their aiders and abettors, shall, upon conviction thereof before the Mayor, be fined in any sum not exceeding fifty dollars.

SEC. 2. This ordinance to take effect from and after the passage thereof.

Passed December 22, 1853. Revised and approved March 10, 1856.

AN ORDINANCE to protect Linden Grove Cemetery.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be the duty of the Sexton of the Linden Grove Cemetery to report to the Mayor of the city of Covington the name or names of all persons who shall be guilty of unbecoming conduct in said Cemetery, by boisterous talking and bad language, or by defacing grounds, trees, or any thing therein, and any one who shall be convicted of such conduct, shall be fined by the Mayor in any sum not exceeding fifty dollars for every such offense.

SEC. 2. Whenever the Sexton does not know the names of those offending agreeably to the provision of the foregoing section of this ordinance, it shall be his duty to arrest such person or persons, and take them before the Mayor to answer for the offense.

SEC. 3. When the Sexton shall report the name of any one to the Mayor, agreeably to the first section of this ordinance, it will be his duty to cause such person to be brought before him to answer the charge made against him.

SEC. 4. The Sexton shall be allowed the sum of twenty-five cents for reporting the name of a person to the Mayor according to this ordinance, and one dollar for every arrest he may make, and these fees shall be taxed against the party in each case of conviction.

SEC. 5. *Be it further ordained*, That all ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed April 20, 1852. Revised and approved April 10, 1856.

AN ORDINANCE concerning the Public Cisterns of the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall not be lawful for any person or persons to draw water out of the public cisterns for any other purpose than for the extinguishment of fires occurring in said city.

SEC. 2. *Be it further ordained*, That if any person or persons shall violate this ordinance, he, she or they shall, upon conviction thereof, be fined by the Mayor of the city, in any sum not exceeding ten dollars.

SEC. 3. *Be it further ordained*, That this ordinance shall take effect and be in force from and after the 1st day of July, 1856.

Passed June 26, 1856.

AN ORDINANCE to prohibit persons from loitering about the Jail and Poor House, etc.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be unlawful for any person or persons not connected with the same, to be seen loitering or standing about the Jail doors or windows, or climbing up to the same and conversing with the prisoners, under a penalty, upon conviction before the Mayor, of five dollars for each offense, and costs.

SEC. 2. *Be it further ordained*, That it shall be unlawful for any person or persons to furnish prisoners confined in the Jail or Work House, or paupers in the Poor House, with any spirituous liquors, wine, ale, beer, porter, or any intoxicating beverage, under a penalty, upon conviction before the Mayor, of not less than five nor more than ten dollars, and costs of prosecution.

SEC. 3. That if any persons shall furnish or offer facilities to prisoners confined in the Jail or Work House to make their escape, they shall be fined, upon conviction thereof before the Mayor, in any sum not less than ten nor more than twenty-five dollars, and costs of prosecution.

Passed August 21, 1856.

AN ORDINANCE to regulate the Measurement of Stone-coal and Coke in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be the duty of all persons selling stone-coal and coke in this city at retail, to have their carts and vehicles used for delivering the same, measured and tested, and every vehicle so used shall contain twenty-five bushels level measure, to be ascertained by the standard of two thousand six hundred and eighty-eight cubic inches of good merchantable coal to the bushel.

SEC. 2. That it shall be the duty of the Inspector and Sealer of Weights and Measures to examine all the carts and vehicles used in retailing stone-coal and coke, and in all cases where it is ascertained that the cart or vehicle has the capacity prescribed by the preceding section, the Inspector and Sealer shall seal the same by branding or stamping, in some conspicuous place on the cart or vehicle, the words and figures, "25 bushels," and the date of the sealing, and the number of the vehicle, reckoning from the first which shall have been sealed under this ordinance.

SEC. 3. The Inspector and Sealer shall keep a record of the carts and vehicles sealed by him, the time of sealing, the numbers of the vehicles, and the names of the persons for whom the sealing is done in all cases, and at the end of every month shall return a copy of such record to the Mayor of the city, who shall file the same in his office.

SEC. 4. In each case the Inspector and Sealer may charge and receive, as compensation for sealing a cart or vehicle, the sum of fifty cents, to be paid by the person for whom the sealing is done.

SEC. 5. Any person who shall be found guilty of using a cart or vehicle, in the selling of stone-coal or coke in this city, which has not been sealed agreeably to this ordinance, on conviction thereof before the Mayor, shall be fined in any sum not exceeding twenty-five dollars for every time the cart or vehicle is used; and whenever any person shall be convicted before the Mayor for using a cart or vehicle, in selling stone-coal or coke, which has not been examined and sealed within six months next preceding the using it, such person shall be fined in any sum not exceeding ten dollars for every such offense.

SEC. 6. The City Weigher shall execute the business imposed upon the Inspector and Sealer by this ordinance, until

such time as there shall be an Inspector and Sealer qualified according to ordinance.

Passed December 15, 1854. Revised and approved March 13, 1856.

AN ORDINANCE establishing a general system of Wharfage, and prescribing the duties of the Wharf Master, etc., etc.

SECTION 1. *Be it ordained by the City Council of Covington*, That the shores of the Ohio and Licking rivers, fronting the northern and eastern boundaries of the city of Covington, extending from Fourth street on the Licking river to Main street on the Ohio river, together with the termination of all the streets and alleys running to either of said rivers within the corporate limits of said city, shall be and the same are hereby declared to be public landings within the meaning of this ordinance.

SEC. 2. *Be it further ordained*, That from and after the passage of this ordinance, all boats, rafts, or crafts of any description, landing, anchoring, or occupying any part of said public landing, from the west side of Scott street to the east side of Shelby street, and likewise the foot or termination of Main street, except as herein otherwise provided, shall be subject to the following rates or charges of wharfage, viz.: Each and every steamboat which shall land at the public landing of this city, for the purpose of discharging or receiving freight, shall be charged for so landing at the rate of twenty-five cents for twenty-five hundred pounds of freight or less, and one cent per hundred for any quantity of freight over twenty-five hundred pounds and not exceeding fifteen thousand pounds; and when the amount of freight discharged and received shall exceed fifteen thousand pounds, or when any boat shall occupy said landing more than two hours, then the rates shall remain the same as herein otherwise provided. And each and every steamboat which shall land, as aforesaid, for the purpose of discharging or receiving freight that can not be estimated by weight, shall be charged at the rate of fifteen cents per dray load for any quantity of freight not exceeding twelve dray loads, quantity to be estimated by the Wharf Master; and when the amount of freight discharged and received shall exceed twelve dray loads, or when any boat shall occupy said landing more than two hours, then the rates shall remain the same as herein otherwise provided. And each and every steamboat which shall land, as aforesaid, for the

purpose of putting off or taking on live stock, shall be charged five cents per head for each and every head of horses, mules, cattle, and such like, not exceeding twenty head; and at the rate of one cent per head for each and every head of sheep, hogs, and such like, not exceeding one hundred head; and when the number of horses, mules, cattle, etc., shall exceed twenty head, or the number of sheep, hogs, etc., shall exceed one hundred head, or when any boat shall occupy said landing more than two hours, then the rates shall remain the same as herein otherwise provided. And each and every steamboat of not more than one hundred tuns burden, shall be charged the sum of one dollar and fifty cents for each day or part thereof, after landing, anchoring, or occupying as aforesaid, during the stay of such boat at said anchorage or landing. And each and every steamboat of more than one hundred tuns burden, and not more than two hundred tuns, shall pay two dollars for each day or part thereof, during the stay of such boat at said anchorage or landing. And each and every steamboat of more than two hundred tuns burden, shall pay two dollars and fifty cents for each day or part thereof, during the stay of such boat at said anchorage or landing.

Sec. 3. *Be it further ordained*, That the steam ferry-boats of Kennedy's and others, running between this city and Cincinnati, shall pay one dollar and fifty cents per day for each boat, for the use and occupancy of such part of the landing as the City Council has by ordinance designated, or may from time to time designate, as a ferry landing, payable to the proper officer on demand; and in no case shall said ferry-boats land at and occupy any other improved part of said public landing, except upon the payment of the same rates of wharfage as other steamboats of equal tonnage are charged; but if it shall at any time occur that the water, at the point assigned for the upper ferry landing, shall be insufficient, the ferry landing may be removed temporarily to some other place where the water is sufficient, but shall not occupy the place assigned to the wharf-boat of Tureman & Co., when there is at any other point on the public landing, between the said wharf-boat landing on the east side of the foot of Garrard street, sufficient water for said landing; and in all cases the ferry-boats shall return to the place assigned for the ferry landing whenever the water shall be sufficient at the point.

Sec. 4. *Be it further ordained*, That any ferry-boat, or line of ferry-boats, landing at and occupying the foot of Main street,

shall be charged one dollar per day for each boat, payable to the proper officer on demand.

SEC. 5. *Be it further ordained*, That the foregoing rates of wharfage shall be charged and collected from each and every steamboat, according to the ship carpenter's measurement of such boat.

SEC. 6. *Be it further ordained*, That each and every coal-boat, Orleans boat, salt-boat, keel-boat, barge, or flat-boat, of any description, landing at or occupying said wharf, as aforesaid, shall pay the sum of two dollars per day or part thereof, Sundays excepted: *Provided*, that boats or crafts of the class mentioned in this section, not exceeding seventy-five feet in length, shall not be charged more than one dollar for each day or part thereof.

SEC. 7. *Be it further ordained*, That each and every raft of lumber or timber, of eighty feet in length or less, landing at or occupying said wharf, as aforesaid, shall be charged two dollars for each day or part thereof, and in the same proportion for any number of feet exceeding eighty feet.

SEC. 8. *Be it further ordained*, That it shall be the duty of the Wharf Master to take notice of all boats, rafts, or property, which may land or anchor at, or occupy any part of said public landings as aforesaid, and demand from the person commanding, having charge of, or owning the same, the amount of wharfage which such boat, raft, or property, may be liable to pay under the provisions of this ordinance, for the time which such person commanding, having charge of, or owning as aforesaid, may intend said boat, raft, or property, to remain at or occupy said landing, and to receipt for the same. And if any boat, raft, or property, shall remain for a longer period of time, it shall be the duty of said Wharf Master to make further demand, and upon further payment being made, to receipt for the same as aforesaid; and from time to time repeat the same, till the departure or removal of said boats, rafts, or property.

SEC. 9. *Be it further ordained*, That if any person or persons commanding, having charge of, or owning any such boat, raft, or property, shall refuse or neglect to make payment of wharfage as aforesaid, on demand being made as aforesaid, it shall be the duty of the Wharf Master immediately to give information thereof to the Mayor of the city, whose duty it shall be to issue a warrant or process against such person or persons so refusing or neglecting to pay as aforesaid, and to have him or them brought before the said Mayor to answer said charge,

and upon proof that such person or persons had refused or neglected to make payment as aforesaid, he shall assess a fine of at least twice the amount chargeable to such person or persons as aforesaid, for wharfage for twenty-four hours or part thereof, together with cost of suit. And on like information from day to day, like proceeding shall be had against any person or persons commanding, having charge of, or owning as aforesaid, and who shall continue from day to day to neglect or refuse to make payments as aforesaid.

SEC. 10. *Be it further ordained*, That the Wharf Master shall have power, and it is hereby made his duty, to cause all steamboats, and other boats or rafts, to move or unship oars, and lay in such a manner at any point of the said public landings, as in his discretion he shall deem best calculated for the convenience of all the crafts laying at and occupying any of said landings; and he may at his discretion order off, or cause to be removed, all skiffs, canoes, rafts, etc., for the convenience of such boats, rafts, etc., as may be entitled to the use and occupancy of said landing; and all freight landed shall be deposited not less than forty feet from the water's edge, and under the direction of the Wharf Master. And for the purpose of suppressing all riots, disturbances and disorderly conduct, the Wharf Master shall be and he is hereby vested with the power and authority of a police officer of said city. And the said Wharf Master shall receive a compensation for his services of ten per cent. from all moneys collected by him for wharfage.

SEC. 11. *Be it further ordained*, That if any person or persons shall resist, or in any wise aid or abet in resisting, the Wharf Master, while in the discharge of his duty as such, he or they, on conviction thereof before the Mayor, shall be fined in any sum not exceeding fifty dollars, with costs of suit.

SEC. 12. *Be it further ordained*, That it shall be the duty of said Wharf Master to remove or cause to be removed all property or incumbrance that shall have remained upon any of the public landings of this city for the space of forty-eight hours, at the expense of the owners thereof, or of the persons placing the same thereon; and, if necessary, to report the same to the Mayor, who shall issue a process against the party or parties in default, and they shall be subject to the same forfeitures and penalties as prescribed in the ninth section of this ordinance: *Provided, however*, the Wharf Master may have discretionary power to permit property to remain for a longer

time on the wharf, upon the owner or owners paying the same rates as rafts or coal-boats are charged, to be estimated by the amount of feet front occupied by such property.

SEC. 13. *Be it further ordained*, That it shall be the duty of the Wharf Master to keep a regular book of accounts, in which shall be entered the names of all persons from whom he shall have received wharfage, with the dates of the receipts and the amount received. The said Wharf Master shall, at least once in each and every week, pay over to the Treasurer all moneys which have been collected by him for wharfage, (less his commission,) and take said Treasurer's receipt therefor. And he shall, on or before the fifth day of each calendar month, make to the City Treasurer a full report of the amounts collected from each and every person, with the date thereof, as required of other accounting officers by the ordinance entitled "An ordinance further regulating the duties of receiving officers of the city, passed February 22, 1855." And before the said Wharf Master shall enter upon the duties of his office, he shall take an oath or affirmation faithfully and impartially to discharge the duties of his office, and shall, moreover, enter into a bond for five hundred dollars, with good and sufficient securities, to be approved by the Council, conditioned to pay all money collected by him as Wharf Master to the City Treasurer, and faithfully and impartially to discharge the duties of his office, as required by ordinance.

SEC. 14. *Be it further ordained*, That the Wharf Master may appoint one or more deputies, to be confirmed by the City Council, who shall have the same authority, and be vested with the same powers, for all purposes, as the Wharf Master himself.

SEC. 15. *Be it further ordained*, That the Wharf Master may receive orders on the Treasury of the city of Covington of persons offering the same in payment of wharfage, but he shall in no wise purchase or buy such orders, or any obligation against the city, with money that may come into his hands for wharfage, but shall pay the same as received to the Treasurer as aforesaid.

SEC. 16. *Be it further ordained*, That the lessees of the city, for the time being, shall be authorized and empowered to demand and receive wharfage for all steamboats, keel-boats, flat-boats, or other crafts, landing at the wharf-boat to be established by them under the lease granted by the City Council, and so much of said wharf or public landing as is

comprised in said lease, is hereby exempted from the control and superintendence of the Wharf Master.

Sec. 17. *Be it further ordained*, That hereafter all flat-boats, rafts, or other crafts, anchoring in the Ohio river, and using any part of the river front set apart as a wharf in loading and unloading such boats, rafts or crafts, by loading wagons at such boats, rafts or crafts, or hauling over said wharf, shall be subject to the payment of the rates of wharfage set forth in the ordinance establishing wharf and fixing the rates of wharfage.

Sec. 18. *Be it further ordained*, That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed July 13, 1855. Revised and approved March 13, 1856.

AN ORDINANCE to amend the Wharf Ordinance of July 13, 1855.

Section 1. *Be it ordained by the City Council of Covington*, That the sixteenth section of an ordinance establishing a system of wharfage, passed July 13, 1855, be and the same is hereby repealed.

Sec. 2. *Be it further ordained*, That each and every wharf-boat occupying one hundred feet of the wharf, or less, shall be charged the sum of one dollar for every twenty-four hours it may occupy the wharf, to be collected as other wharfage is collected, according to said ordinance of 1855; and every wharf-boat occupying more than one hundred feet of the wharf, shall, in like manner, be charged two dollars for every twenty-four hours it may occupy the wharf; and the proprietors of said wharf-boat shall have the privilege of charging wharfage upon boats that may land at such boats. The charge shall not exceed the rates prescribed in the second section of the ordinance of 1855, and no wharf-boat shall be located within two hundred feet of any already located.

Sec. 3. *Be it further ordained*, That the City Council hereby retain the power to alter, amend, or repeal this ordinance at pleasure, and that this ordinance takes effect from its passage.

Approved August 13, 1860.

AN ORDINANCE to amend the Wharf Ordinance of 1860.

Be it ordained by the City Council of Covington, That section two of said ordinance be so amended as to read: "One hun-

dred feet space between wharf-boats," instead of "two hundred feet."

Approved September 6, 1860.

AN ORDINANCE prescribing the Duties and fixing the Salary of the Engineer of the Fire Department.

SECTION 1. *Be it ordained by the City Council of Covington*, That the Engineer of the Fire Department be and is hereby invested with the power and authority of a police officer, to be exercised by him during fire alarms, and in going to and from fires.

SEC. 2. That it shall be the duty of the Engineer to attend promptly at every alarm of fire, to superintend, direct and control the fire companies, prescribe the position and regulate the action of the several companies while engaged at fires, arrest and take before the proper officers all disorderly persons, and all persons interfering with the fire companies in discharge of their duties.

SEC. 3. It shall be the duty of the said Engineer to ascertain, and report to the Council during each month, the condition and situation of the public cisterns, and the conductors and feeders thereof, and also the condition and situation of the fire-engines, hose, and other property connected with the Fire Department, belonging to the city, and suggest, from time to time, such alterations, improvements, repairs and additions as may seem necessary; and should the cisterns, feeders, hose, or other property, require it, in the interval between such reports, to cause such repairs to be made as may be necessary to keep the same available in time of fire.

SEC. 4. It shall be the duty of the said Engineer to report monthly to the City Council the number, efficiency and character of the several fire companies in the city, suggesting such alterations, improvements, or additions, as may be deemed advisable.

SEC. 5. That the said Engineer shall receive a compensation of fifty dollars per annum for his services, payable quarterly.

Passed April 6, 1855. Revised and approved March 13, 1856.

AN ORDINANCE creating the office of Fire Warden.

SECTION 1. *Be it ordained by the City Council of Covington*, That there shall be elected annually, by the City Council,

four Fire Wardens in each ward, and in case of vacancies, shall be filled as aforesaid, whose duty it shall be to attend all fires that may occur in said city, who shall give direction, and compel any person that may be at fires to assist in any way to save property or extinguish fires, (except fire companies,) and it shall be their duty, in case such persons refuse to assist at fires, or comply with the requisitions of said Wardens, they shall be reported to the Mayor, and, upon conviction, shall be fined in any sum not exceeding ten dollars and costs.

Sec. 2. *Be it further ordained*, That it shall be their duty to examine, in their respective wards, all chimneys, flues, furnaces, stoves and stove-pipes, for the purpose of better securing property from fires in said city; and it shall also be their duty, when information is given of any chimney, stove or stove-pipe being in a dangerous condition, to go immediately to the place, and if they find such information true, they shall immediately give the owner or owners notice to make the same safe, and if it is not done in twenty-four hours after such notice, he, she or they shall, upon conviction, pay, for every twenty-four hours such danger is suffered to remain, the sum of five dollars.

Sec. 3. *Be it further ordained*, That all fines and penalties incurred by any firemen or any member of a hose company, by violating, or for the non-observance of the by-laws, rules and regulations of any of the fire or hose companies, may be secured by prosecution before the Mayor; and all fines and forfeitures so collected, shall be paid to the Treasurer of said company so complaining, in which the forfeit was made, which shall be applied for the benefit of the company.

Sec. 4. *Be it further ordained*, That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed April 17, 1856.

AN ORDINANCE prescribing the Duties and fixing the Salary of the City Marshal.

Section 1. *Be it ordained by the City Council of Covington*, That the City Marshal shall be Chief of the Police, and, if required by the Council, shall have a resident deputy in each ward in said city, whose appointment shall be made with the advice and consent of the Council. He shall, by himself or deputies, attend all the sessions of the Council, together with

those of the Mayor's Court, and preserve and enforce order under their and his direction.

SEC. 2. He shall, by himself or his deputies, execute all process emanating from the Mayor or Mayor's Court. It shall be his duty, under the direction of the Mayor or President of the Council, and in conformity with the ordinances of the city, to suppress all routs, riots, unlawful assemblies, disturbances and breaches of the peace. It shall be their duty, and they shall have the power, to apprehend all felons, common gamblers, breakers or disturbers of the peace, night walkers, vagrants, persons of ill-fame and disorderly conduct; and all such persons may be apprehended without warrants by the said police officers, or any of them, and may be taken, with such evidence as they may possess, before the Mayor, or any Justice of the Peace, to be dealt with according to law. And if such apprehension shall be in the night, they shall be placed in the watch-house or jail until morning.

SEC. 3. They shall also have the power and perform the duties of patrollers; they shall have power to pursue and arrest, with proper warrants, any person or persons fleeing from justice, in any part of the State of Kentucky; to apprehend, without warrant, any person in the act of committing any offense against the laws of the State or the ordinances of the city, and forthwith bring such person or persons before the proper authorities for examination; and at all times diligently and faithfully to enforce all such laws, ordinances and regulations for the preservation of the peace, good order, and welfare of the city, as the City Council may ordain; and for such purposes they shall have all the power of constables.

SEC. 4. He shall have the power of sheriffs in levying executions, and executing and returning processes within the jurisdiction of the Mayor's Court. He shall have the same power to serve notices in writing that constables in the county of Kenton have, and for any purpose that constables have the authority to do; and his return thereon, either to the Circuit Court or the Mayor's Court, shall be sufficient evidence of such service.

SEC. 5. He shall collect the fees of the Mayor and City Clerk, if required so to do, and shall be a conservator of the peace of said city. He shall give bond and sufficient security, in an adequate penalty, before the Council, to the Commonwealth of Kentucky, with a condition faithfully to perform the duties of his office, and to collect and pay over to the person

entitled thereto, all the sums of money intrusted to him for collection, and which may have come into his hands by his having received and collected the same.

SEC. 6. That a lien shall exist on the real estate and slaves of the said Marshal and his securities, from the time of executing bond as aforesaid, to secure the payment of all moneys that shall have been received and collected by him, or which shall come to his hands as Marshal of the city, to pay and account for, and any official liability.

SEC. 7. That he shall be entitled to charge and receive the same fees, for the like service, which sheriffs are by law entitled to receive, and shall have the same power, within the limits of the Mayor's jurisdiction, to collect the same.

SEC. 8. That he and his securities shall be liable to judgment, by motion in the Mayor's Court, in favor of any persons entitled to moneys collected by him, in the same manner, and subject to the same costs and damages, that sheriffs are liable for by existing laws.

SEC. 9. Ten days notice of the time and place of making such motion shall be sufficient, and there shall be no replevin or valuation of property on execution, issued on such judgment.

SEC. 10. *Be it further ordained*, That the salary of the Marshal shall be five hundred dollars per annum, in addition to the fees at present allowed, payable quarterly.

SEC. 11. The City Marshal shall be elected by the legal voters of the city, on the first Monday in August, and shall serve two years, or until his successor is elected.

SEC. 12. *Be it further ordained*, That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed.

Revised and approved June 28, 1864.

AN ORDINANCE providing for General Deputies under the City Marshal, and for their compensation.

SECTION 1. *Be it ordained by the City Council of Covington*, That from and after the taking effect of this ordinance, the City Marshal may have, as a part of the general police force of the city, two or more active deputies, who shall devote their time exclusively to their official duties, and whose appointment shall be made by the Marshal, to take effect upon the ratification and approval of the Council.

SEC. 2. That for the purpose of enabling the Marshal to provide and pay a sufficient compensation to such deputies, the salary of the Marshal is increased, from and after the taking effect of this ordinance, to the sum of nine hundred dollars per annum, in addition to the fees at present allowed, payable in installments as now provided: *Provided*, that should it at any time, from any time hereafter, happen that the Marshal should have but one such active deputy, then, and in that case, during all such time there shall be but one such deputy, the Marshal shall only receive and be entitled to a salary at the rate of seven hundred dollars per annum, and in like manner, in case it should happen that at any time the Marshal should have no active deputy as aforesaid, then, and in that case, during all such time as the Marshal shall have no such active deputy, he, the Marshal, shall only receive and be entitled to a salary at the rate of five hundred dollars per annum.

SEC. 3. That the second section of an ordinance entitled an ordinance fixing fees of Marshal for arrests for misdemeanors, when fines are paid by confinement in the City Work House or Jail, and for other purposes, passed October 24, 1861, be and the same is hereby repealed.

SEC. 4. That any part of any ordinance heretofore passed, which is contrary to the provisions of this ordinance, be and the same is hereby repealed.

SEC. 5. This ordinance shall be in force and take effect on and after the 16th day of May, 1863, and Council hereby reserves the right to alter, amend, modify, or repeal this ordinance at any time hereafter.

Approved May 15, 1863.

AN ORDINANCE to increase the Salary of the City Marshal.

SECTION 1. *Be it ordained by the City Council of Covington*, That the salary of the City Marshal shall be twelve hundred dollars per annum, in addition to the fees at present allowed, payable in installments as is now provided: *Provided*, that should it, at any time hereafter, happen that the Marshal should have but one such deputy, the Marshal shall only receive and be entitled to a salary at the rate of nine hundred dollars per annum, and, in like manner, in case it should happen that at any time the Marshal should have no active general deputy as aforesaid, then, and in that case, during all

such time as the Marshal shall have no such active general deputy, he, the Marshal, shall only receive and be entitled to a salary at the rate of six hundred dollars per annum.

SEC. 2. *Be it further ordained*, That so much of the second section of an ordinance passed May 15, 1863, providing for general deputies under the City Marshal, and fixing compensation of the same, as conflicts with this ordinance, be and the same is hereby repealed.

SEC. 3. This ordinance to take effect and be in full force from and after the 1st day of May, 1864.

Approved April 10, 1864.

AN ORDINANCE prescribing the Duties and fixing the Salary of City Treasurer.

Be it ordained by the City Council of Covington, That it shall be the duty of the City Treasurer, before he enters upon the duties of his office, to execute bond in the penalty of twenty thousand dollars, with good security, to be approved by the Council, conditioned faithfully and honestly to discharge the duties of his office, according to the charter and ordinances of said city, and the orders of the Council; and the said Treasurer shall be allowed three hundred dollars per annum, payable quarterly.

Approved March 13, 1856.

AN ORDINANCE to amend an Ordinance concerning City Treasurer.

Be it ordained by the City Council of Covington, That the ordinance prescribing the duties and fixing the salary of the City Treasurer, be so amended as to fix the salary of the Treasurer at five hundred dollars per annum, instead of three hundred dollars, as now prescribed by said ordinance.

Approved May 15, 1857.

AN ORDINANCE regulating the Sale of Beer, Ale and Porter.

SECTION 1. *Be it ordained by the City Council of Covington*, That if any person or persons wish to sell beer, ale and porter, or other malt liquors, or either, in any house in the city of Covington, to be drunk therein, or on, or adjacent to the premises where sold, or in any building or place belonging to,

or under control of the seller, shall first apply to the Council for same by petition, which said petition shall represent the petitioner to be of good reputation, and shall be signed by at least ten freeholders residing in the city, five of whom shall reside in the ward in which the house is proposed to be kept.

SEC. 2. And if the Council are satisfied that the petition should be granted, they shall pass an order to that effect, and the charge for such shall not be less than twenty-five dollars per annum.

SEC. 3. The Clerk shall give a certificate to the petitioner, stating the amount, which certificate he shall present to the Treasurer, pay the amount required, take his receipt for the same, which receipt shall be handed to the Clerk, who shall file the same in his office, and give the petitioner a certificate to the Mayor, stating that the ordinance has been complied with, who will issue the license.

SEC. 4. *Be it further ordained*, That if any person or persons shall offend against the provisions of this ordinance, he, she or they so offending, upon conviction thereof before the Mayor, shall be fined not less than ten dollars nor more than fifty dollars for each offense.

SEC. 5. *Be it further ordained*, That it shall be the duty of the Marshal of the city, his deputies, and other officers of the city, to see that this ordinance is complied with.

SEC. 6. *Be it further ordained*, That if any person or persons shall sell ale, beer or porter, on the first day of the week, usually called Sunday, they shall, upon conviction thereof, pay the sum of ten dollars and costs.

SEC. 7. *Be it further ordained*, That all ordinances conflicting with this ordinance, are hereby repealed.

AN ORDINANCE prescribing the mode and regulating the manner of collecting Taxes on Real and Personal Estate in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That when any delinquent tax bill shall be placed in the hands of the City Collector, he shall first distrain upon all personal property which he may find in the city belonging to the delinquent, or so much thereof as may be necessary to pay the amount of taxes due, embracing the fifteen per cent. and costs, and dispose of the same by sale in the same man-

ner that sheriffs are authorized to do in collecting the county levy.

SEC. 2. When, by and under any ordinance, the City Collector, or any special collector, is authorized to collect any tax assessed or levied on the owners of property, for grading, curbing, paving, macadamizing, turnpiking, or repairing any street, alley, market-space, lane, or sidewalk, he shall make out a bill of the amount due from such owner of property to the city, and if the same be not paid by the owner, the said Collector shall distrain on and sell so much of the personal property of the owner as will be sufficient to pay such tax and costs, which sale he shall make in the manner and form prescribed in the preceding section.

SEC. 3. If the Collector is unable to find personal property of any person owing tax to the city, he shall note such fact upon the tax bill.

SEC. 4. In the event no personal property can be found in the city belonging to such person owing tax, the Collector having such tax to collect, shall then proceed to sell the real estate of such person; but before such sale is made, the Collector shall advertise, at three or more public places in the city, the time and place of such sale for at least fifteen days before the sale. All such sales shall be in front of the City Hall, in the city of Covington. The advertisement shall specify, by description, the real estate to be sold, the name of the owner, when known, the amount of tax and costs due thereon.

SEC. 5. When the tax is for grading, curbing, macadamizing, turnpiking, paving or repairing of streets, alleys, or other thoroughfares, the levy for such tax shall be made on the property fronting, binding or abutting such street, alley, or other thoroughfare, and in every instance the Collector shall sell the real estate to the person who will take the least quantity thereof and pay the tax and costs thereon.

SEC. 6. The Collector shall receive from the purchaser of any such real estate, the amount by him bid therefor, and execute to him a certificate or bond evidencing such sale, and therein giving a description of the property, the name of the owner, if known, and the amount paid therefor.

SEC. 7. Within six days after any such sale of real estate by the Collector, he shall make a full return of said sale, specifying a proper description of the property, the names of the owners, when known, as also the purchaser, the amount sold, and the time when sold, together with a copy of the adver-

tisement, and the fact whether or not he could find personal property belonging to the person owing the tax, to the City Clerk, who shall record the same in a book kept for that purpose, and file and carefully preserve the said proceedings, among the papers in his office.

SEC. 8. When any real estate is sold according to the provisions of this ordinance, and in conformity with the charter of the city, and the same is not redeemed in the manner and within the time prescribed by law, if such sale was made by the City Collector, such Collector, or his successor, shall make the deed to the purchaser of any such real estate, not redeemed; but if such sale is made by any special collector, he shall make such deed to the purchasers, unless the property shall have been redeemed according to the provisions now required by the City Charter of Covington; and in the event of the removal or death of the Collector, the deed to be made by some person appointed by the Council.

Approved March 13, 1856.

AN ORDINANCE prescribing the Duties of Assessor.

SECTION 1. *Be it ordained by the City Council of Covington*, That the Assessor shall enter upon the discharge of his duties on the Tuesday next succeeding the second Saturday in January of each year, and he shall perform all the duties prescribed for the Assessor in the first section and fifth article of the Charter of the City of Covington.

SEC. 2. All of the following kinds and descriptions of property in said city shall be assessed for taxation, to-wit: Real estate and slaves, goods, wares, drugs and medicines, oils and paints kept for sale; confectioneries, groceries and other articles kept in stores, groceries and shops for sale; lumber and coal in yards; carriages and horses, and the excess of all the claims of any taxable person over his or her just and proper debts, according to the equalization law of Kentucky. The Assessor will not be required to assess such property as is exempt by law from city taxation, and he may administer an oath to any person as to the correctness of the property given in for assessment.

SEC. 3. That the Assessor shall list for taxation all taxable property of persons who do not reside in the city, agreeably to the plan laid down for the listing of property of non-residents, in section first of article fifth of the charter of said city;

and he shall make a plain list of all taxable property, the owners of which are unknown to him.

Sec. 4. He shall make a separate list of all free males over twenty-one years of age, and of all slaves over sixteen years of age, with the names of the owners prefixed, and of all dogs and sluts, with the names of the persons owning or keeping them.

Sec. 5. He shall report the number of white children between the ages of six and eighteen years who live in the city of Covington, every year, likewise the number of persons residing in the city.

Sec. 6. That the Assessor shall be allowed as compensation for his services, eight cents for each list taken, and charged twenty-five cents for each list omitted.

Sec. 7. *Be it further ordained*, That all ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed April 10, 1856.

AN ORDINANCE prescribing the qualification of City Engineer and other Officers of the City.

Section 1. *Be it ordained by the City Council of Covington*, That within a reasonable time after the election of the City Engineer, he shall take oath before the Mayor of the city, or some Justice of the Peace in the city, to discharge faithfully all the duties which may be imposed upon him by the City Council, by orders and ordinances; and he shall give bond with security, worth at least ten thousand dollars, to be approved by the City Council, conditioned to perform the duties of City Engineer while he remains in office.

Sec. 2. All the officers of the city, the manner of whose qualification is not prescribed by other ordinances, shall be qualified in the same manner as the City Engineer, except that they shall not be required to execute bond in a larger sum than five thousand dollars.

Sec. 3. *Be it further ordained*, That all ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed April 10, 1854. Revised and approved March, 1856.

AN ORDINANCE defining the Duties and fixing the Compensation of the Civil Engineer of the City of Covington.

Section 1. *Be it ordained by the City Council of Covington*, That it shall be the duty of the Civil Engineer of said city of

Covington, to project and lay before the City Council plans of all improvements, streets, lanes, alleys, market-spaces, public buildings, commons and parks, and all other public works of said city, which may be in contemplation, or which he may deem necessary for the public good and convenience, together with an estimate of the expenses of the same; and all applications for all public improvements shall be made to the City Council, which shall be referred to the said Civil Engineer, who shall report thereon to the City Council, together with the plans and estimates of such he may approve, or other improvements which he may recommend. He shall receive proposals to do all public works, and lay the same before the Council for their approval. He shall examine and consider plans proposed of all market-houses, bridges and other buildings, and all other public works, and report to the City Council such as he shall approve, together with an estimate of the expenses, and his opinion and recommendation concerning the same. He shall inspect the timber, iron, and other materials used or to be used in the construction of market-houses, bridges, public buildings, and all other public works of the city, and shall reject all such as in his opinion may be unsafe or unfit, and shall forthwith give notice thereof to the contractors, or to the party furnishing such materials. It shall be the duty of said Civil Engineer to superintend all public works ordered by the City Council. He shall have the power, stipulated in the contracts for the execution of all public works for the city, that, during the progress of any such work, whenever in his opinion the said work is not progressing in a satisfactory manner, or in a manner not agreeably to the terms of contract, to order the further progress of the work to be suspended, and to have such defective work taken down and rebuilt at the expense of the contractor, in accordance with the terms of the contract; and no appropriation or payment of money shall be made on any public work by the said City Council, until the said Civil Engineer shall certify in writing that the work has been done agreeably to the terms of the contract. He shall report to the City Council all intrusions which may come to his knowledge in any of the streets, lanes, alleys, market-spaces, public buildings, commons and parks of said city. He shall, under the direction of the City Council, or, if he deem it necessary and proper to be done, then without such direction, make surveys of the streets, lanes, alleys, market-spaces, public buildings, commons and parks, and all other public works, and execute plats, plans,

draughts and statements of the same, and calculate and ascertain the proper grade and level of said streets, lanes, alleys, market-spaces, public landings, commons and parks, and execute profiles, delineations and draughts of the same. He shall make all surveys which are required to be done by order of the City Council. He shall, at the request in writing of the Mayor or City Attorney, make surveys of lots of land, of streets, lanes, alleys, market-spaces, public landings, commons or parks, about which there may be any dispute or litigation in which the city is interested.

Sec. 2. Said Civil Engineer shall be a skillful surveyor, and shall find and mark out the lines of all streets, lanes, alleys, market-spaces, public landings, commons or parks which are to be improved, and shall also find and mark the proper grades of the same, and shall find and mark the lines of improvements to be made.

Sec. 3. Said Civil Engineer shall cause all public surveys, maps, charts, draughts, plans, and other documents made by himself or those in his employ, to be recorded in his office, in books to be provided at the expense of the city, which records shall be the property of said city, to which the public may have access at all times during business hours, and shall be carefully preserved in the office of said Engineer; and the field notes of all surveys made by him, or a copy thereof, shall be preserved on file in the office of said Civil Engineer, and be the property of the city.

Sec. 4. The said Civil Engineer shall, on payment by any person, or tender of the same fees which are or may be paid by law to the Clerks of the County Courts, make out and deliver, or cause to be made out and delivered to such person, duly certified by said Civil Engineer, a correct and fair copy of any record, map, chart, survey, draught, plan, or other document kept in his office, which fees shall be in addition to the compensation provided in this ordinance.

Sec. 5. Should there, from any cause, happen to be a vacancy in the office of Civil Engineer, the City Clerk shall, during such time, advertise for and receive proposals to do all public works, and lay the same before the City Council for approval.

Sec. 6. Said Civil Engineer shall keep an account between contractors, material-men, and all persons directly employed by the city on public works, and the city; and shall furnish to the City Council, or to such individuals so contracting, furnishing materials, or employed, a correct statement of any

such accounts, in writing, by said individuals, parties to such accounts.

SEC. 7. Said Engineer shall receive, in full compensation for his services, (excepting fees mentioned in section four,) five hundred dollars per year, to be paid at the same times with other officers of the city.

SEC. 8. All ordinances and parts of ordinances inconsistent with this ordinance, are hereby repealed. This ordinance shall be in force from and after the 1st day of January, 1864. The Council reserves the right at any time hereafter to repeal, alter, amend or modify this ordinance, with or without change in the compensation allowed by this ordinance.

Approved December 24, 1863.

AN ORDINANCE defining the Duties and fixing the Salary of Street Commissioner.

SECTION 1. *Be it ordained by the City Council of Covington*, That the Street Commissioner shall be elected annually on the first Saturday in January of each year, and shall continue in office one year, and until his successor shall be qualified, unless sooner removed by the Council.

SEC. 2. *Be it further ordained*, That it shall be the duty of said Street Commissioner to cause the streets, alleys, commons, wharfs, market-places and public property of said city to be kept in good order, and to remove all obstructions that may exist, or may hereafter happen or occur, in any of the streets, alleys, commons, wharfs, or public property of the city; to move or cause to be moved all nuisances which exist or occur in any part of the city; and when any person shall create any nuisance in the city, it shall be the duty of said Street Commissioner to notify said person to remove or abate the same immediately, and if said person shall refuse or neglect to remove said nuisance within twenty-four hours after receiving said notice, then the Street Commissioner shall immediately remove the same and report the expenses to the Mayor, who shall summons the party in default before him, and enter such order against him, for the payment of the expense and cost, as the case may require.

SEC. 3. *Be it further ordained*, That it shall be the duty of said Street Commissioner to cause to be removed all property or encumbrance that shall have remained on any of the sidewalks or streets in said city, or in the public alleys, for the

space of twenty-four hours, at the expense of the owners thereof, or the persons placing the same thereon; and, if necessary, the said Commissioner is authorized to apply to the Mayor, and proceed to collect the expense of the same as prescribed in section second of this ordinance.

Sec. 4. *Be it further ordained*, That no person or persons shall obstruct the passage of the streets, alleys and sidewalks of the city by placing thereon any property, rubbish or other impediments, under a penalty of two dollars for every two hours the same shall remain thereon after receiving notice by the Street Commissioner to remove the same; and if any person or persons shall suffer any property, obstruction, or any impediment to free passage, to remain in the streets, alleys, or on the sidewalks opposite his or her property, longer than three hours after sunset, after having been notified, he, she or they shall be fined not less than one nor more than ten dollars.

Sec. 5. *Be it further ordained*, That no person or persons shall erect railing at the corners of any streets or alleys, which may in any manner obstruct or impede the free passage of said streets or sidewalks, under the penalty of five dollars for every twelve hours the same remains, or shall remain; and if any person shall have any railing already erected or constructed, impeding the passage on the sidewalks, he, she or they shall immediately remove the same, upon being notified so to do by the Street Commissioner, under the penalty of five dollars for every twelve hours the same shall remain after receiving said notice.

Sec. 6. *Be it further ordained*, That said Street Commissioner shall have all the powers usually conferred upon the officers of the police, and shall give information of all breaches of the ordinances of the city of which he may know or be informed, and shall perform such duties in relation to the improving and repairing of the streets, alleys, public grounds, public buildings, market-spaces, sidewalks and commons, as shall from time to time be directed by this Board.

Sec. 7. *Be it further ordained*, That the salary of the Street Commissioner shall be four hundred dollars per annum, payable quarterly.

Sec. 8. *Be it further ordained*, That the said Commissioner, before entering on the duties of his office, shall take an oath before the Mayor or a Justice of the Peace of the city, faithfully to discharge the duties of said office, and enter into bond with good and sufficient security, to be approved by the Coun-

cil, in the sum of one thousand dollars, payable to the city of Covington, for the performance of all the duties of said office, as long as he shall continue therein.

Sec. 9. *Be it further ordained*, That whenever any person or persons are erecting new buildings or repairing old buildings within the city, he, she or they shall be at liberty to use and occupy one-half of the street, except when buildings are erecting or repairing at the same time opposite each other, in which case each shall occupy one-third of the street and sidewalk, without obstructing the gutters, and the whole of the sidewalk opposite and next to the place where the building is being erected or repaired, until they have had sufficient time in which to complete the same, any thing in this ordinance to the contrary notwithstanding.

Sec. 10. *Be it further ordained*, That it shall be the duty of the Street Commissioner to cause to be removed obstacles, fences, posts, railings, buildings, or species of inclosures which he shall find at any time upon any of the streets, alleys, wharfs, market-spaces, or other property of the city, having first given notice to the person or persons, if known, by whom such obstacle, fence, post, railing, or species of inclosure, was placed there; and if not removed within six days, he shall proceed forthwith to remove them, and, if necessary, report the same to the Mayor, and proceed as in section second; and it shall be the duty of the Street Commissioner to keep the different wells in good order.

Sec. 11. *Be it further ordained*, That steps or cellar-doors to buildings, on any of the streets with sidewalks not less than eleven feet in width, which do not occupy more than four feet in width of the sidewalk, shall not be considered as obstructions. And on streets having sidewalks not less than six feet, steps or cellar-doors not occupying more than thirty inches of inside of sidewalk shall not be considered as obstructions.

Sec. 12. *Be it further ordained*, That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed.

Passed April 10, 1856.

AN ORDINANCE to fix the Salary of the Street Commissioner.

Section 1. *Be it ordained by the City Council of Covington*, That the Street Commissioner of said city shall, from and after the 1st day of January, 1864, receive a salary at the rate of

six hundred dollars per year, payable at the same time with other officers of the city.

SEC. 2. All other ordinances coming in conflict with this ordinance, be and the same are hereby repealed.

Approved December 30, 1863.

AN ORDINANCE prescribing the Duties and fixing the Salary of the City Physician.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be the duty of the City Physician to attend to and prescribe for all the poor supported by the city, during their sickness, and all such other poor persons residing in the city as may be unable to pay for the services of a physician; and he shall furnish, at his own expense, all the medicine that may be necessary. He shall render services in all cases when called upon by persons requiring them, who shall produce an order from one of the Councilmen of the ward in which such person resides, directing such service to be rendered; and his failure or refusal to do so, may be considered sufficient cause for his removal from office, on satisfactory evidence of such failure or refusal being presented to the City Council.

SEC. 2. Should the City Physician be of the opinion that any person or persons under his treatment are able to pay for the services of a physician, he shall report such case or cases to the members of Council representing the ward in which such person or persons reside, and he shall then act in the premises as said members of Council may direct.

SEC. 3. The salary of the City Physician shall be seven hundred dollars per annum, payable monthly; but before any allowance shall be made to him, he shall send in to the City Council his monthly report, showing the number of patients visited by him as City Physician, the time each patient was under his medical treatment, the character of the disease, and the result of the treatment.

SEC. 4. All ordinances and parts of ordinances coming within the purview of this ordinance, are hereby repealed.

Approved April 5, 1864.

AN ORDINANCE fixing the term of office of certain City Officers.

SECTION 1. *Be it ordained by the City Council of Covington*, That the term of office of City Collector, City Physician,

Street Commissioner, Wharf Master and Engineer of Fire Department, shall be two years; and that hereafter persons elected to the above-named offices, unless to fill a vacancy, shall hold their offices respectively for two years.

SEC. 2. *Be it further ordained*, That all ordinances or parts of ordinances that are inconsistent with this ordinance, be and the same are hereby repealed.

Approved December 15, 1863.

AN ORDINANCE regulating Billiard Tables in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That any person desiring to keep billiard tables in the city of Covington, shall first apply, by petition, to the City Council for license for that purpose, stating the number of tables intended to be used, also describing the house in which it is proposed to keep the same; said petition shall also be accompanied by the consent, in writing, of the owner or agent that the premises may be occupied for the purposes set forth in the petition, and also by a certificate from the County Clerk, stating that the legal fee has been paid into the County Treasury; and if the Council are satisfied that license ought to be granted, they shall vote to grant the prayer of the petitioner. Whereupon the City Clerk shall furnish a certificate to that effect, to be delivered to the petitioner, who shall present it to the City Treasurer and pay the amount hereinafter specified, taking his receipt for the same, which receipt shall be filed with the City Clerk, who shall give the petitioner a certificate stating that the amount required had been paid into the Treasury, and he shall issue license. For issuing said license, the applicant shall pay the Mayor the sum of one dollar, and for said two certificates he shall pay the Clerk fifty cents.

SEC. 2. *Be it further ordained*, That the license fee to be paid to the City Treasurer shall be at the rate of twenty-five dollars per annum for each table designed to be used, and that no license shall be granted to expire upon any other date than the 1st day of May following the time at which the license was granted.

SEC. 3. That no license shall be granted to any negro or mulatto, nor to any person under the age of twenty-one years, nor to any person not of good character.

SEC. 4. That no person or persons holding license under this ordinance, shall permit any person under age to play any

game upon any of such tables; nor shall they permit any game to be played on any of such tables upon the first day of the week, commonly called Sunday; nor shall they permit any betting on the game played on such tables.

SEC. 5. That no person or persons holding license under this ordinance, shall sell any spirituous or malt liquors, wine or cider, in the room where such tables are kept, nor shall they permit any riotous or disorderly conduct in said room.

SEC. 6. That any person violating any of the provisions of this ordinance, shall, upon conviction thereof before the Mayor, forfeit such license, and be subject, further, to a fine of not less than ten nor more than fifty dollars for such offense; and that any person keeping billiard tables after a forfeiture of such license as in this section provided for, and any person keeping such tables without license first obtained as provided for in this ordinance, shall be fined in the sum of twenty-five dollars and costs, for each game played upon such tables; and any person betting on any game played on any billiard table in the city of Covington, shall be fined in any sum not less than ten nor more than sixteen dollars.

Approved April 9, 1858.

AN ORDINANCE regulating the construction and repairing of Sidewalks.

SECTION 1. *Be it ordained by the City Council of Covington*, That all sidewalks hereafter laid or paved in this city, shall conform at the curb-stone to the general grade of the street and general level of the curb-stone, and shall rise from the curb-stone on a line at right angles to the street line, one-half inch per foot width of sidewalk.

SEC. 2. The paving shall be done with good, hard paving brick, (except when permission is granted by Council to use other material,) said brick to be of such quality as shall be approved by the City Engineer or the Committee on Internal Improvements; and said brick shall be laid with at least four inches of good clean river sand under and next to the brick, the interstices also filled with the same.

SEC. 3. No sidewalk shall be constructed or repaired in any other manner, or with any other materials, than herein specified, (except by special permission of Council).

Approved March 25, 1863.

AN ORDINANCE establishing a Base Line, etc.

SECTION 1. *Be it ordained by the City Council of Covington*, That in all work hereafter done for this city by the City Engineer, in which leveling is necessary, the "base line" shall be a line five hundred feet below the lower surface of the City Hall corner-stone.

SEC. 2. *Be it further ordained*, That hereafter, upon the adoption of any grade for any street, alley or sidewalk in the city, the City Engineer shall file in the City Clerk's office a profile, showing the cuts and fills, and the elevation of the grade above the established base line.

SEC. 3. *Be it further ordained*, That hereafter, upon the adoption of any plan for any sewer in the city, the Engineer shall file in the City Clerk's office a plan of the same, showing its dimensions in every part; also a profile of the same, showing its descent, its elevation above the established base line, and distance below the street grades.

SEC. 4. *Be it further ordained*, That hereafter, upon the adoption of a plan for any culvert in this city, the City Engineer shall file in the City Clerk's office a plan of the same, showing its dimensions in every part, and the elevation of the foundation above the established base line.

Approved February 20, 1862.

AN ORDINANCE to provide for taxing, licensing and regulating vehicles kept and used for hire in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That any owner of one or more carts, wagons, drays, hackney coaches, carriages, and all other vehicles kept for hire within said city, before the same are used, shall present to the City Clerk a statement in writing designating his or her name and residence, and the kind of vehicle intended to be used.

SEC. 2. That upon the receipt of such statement, the City Clerk shall register the same in a book to be kept for that purpose, and keep said statement on file, and shall designate and furnish the number to be affixed to such vehicle, proceeding from number one, and shall issue a certificate thereof to such owner, and shall be entitled to charge and receive therefor the sum of fifty cents, to be paid by the party to whom the certificate and number are issued. And thereupon such owner shall pay to the City Treasurer, according to the kind of vehicle to be used by him, the amount provided in the

next section of this ordinance, and take the Treasurer's receipt therefor; and said certificate, together with the Treasurer's receipt as provided above, shall constitute a license and authority to such owner to use for hire the vehicle designated therein for one year from the time of payment to the Treasurer as aforesaid, which may be renewed from year to year by payment to the Treasurer of a like amount.

SEC. 3. The amounts which the owners of such vehicles, intended to be used for hire in said city, shall pay, respectively, shall be as follows, viz.: For each wagon usually drawn by four horses, ten dollars; for each wagon usually drawn by three horses, the same amount; for each wagon usually drawn by two horses, five dollars; for each coal cart, irrespective of number of horses, five dollars; for each express wagon drawn by one horse, two dollars and fifty cents; each express wagon drawn by two horses, five dollars; for each dray, five dollars; for each common cart, two dollars; for each furniture car, five dollars; for each omnibus usually drawn by four horses, ten dollars; for each omnibus usually drawn by two horses, five dollars; for each transfer wagon, ten dollars; each hackney coach or carriage usually drawn by two horses, five dollars; for same, usually drawn by one horse, three dollars; for each buggy drawn by one horse, two dollars and fifty cents; for every other kind of vehicle not herein mentioned, when drawn by four or more horses, ten dollars, and same amount when drawn by three horses; and when drawn by two horses, five dollars, and when drawn by one horse, two dollars and fifty cents.

SEC. 4. That the owner of any vehicle embraced in the provisions of this ordinance, shall, upon receiving the certificate from the City Clerk mentioned in the second section hereof, forthwith cause the number designated in such certificate to be affixed and preserved, in plain and conspicuous figures, on a conspicuous part of such vehicle.

SEC. 5. That each transfer of such vehicle, and each change of residence of the owner, within three days thereafter, shall be notified in writing to the City Clerk, who shall register such notice in a book to be kept for that purpose, and keep said notice on file and issue a certificate thereof to the owner.

SEC. 6. *Be it further ordained*, That all carts, drays, wagons, hackney coaches, carriages, and all other vehicles owned by any person or persons whose residence is outside of the limits of the corporation, but which are run or used for hire in conveying articles of any kind, or passengers, from one point to

another point within the city limits, shall be subject to the same tax and regulations and penalties as are provided in this ordinance for similar vehicles similarly used, and owned by residents of Covington: *Provided, however*, that hackney coaches brought to the city from other places for the exclusive purpose of attending funerals, shall not be subject to any of the provisions of this ordinance: *And provided, further*, that all vehicles kept and used in said city exclusively for funeral purposes, shall also be exempt from the provisions of this ordinance.

SEC. 7. That any person violating any provisions or regulations contained in this ordinance, shall, on conviction thereof before the Mayor, be fined in any sum not less than ten dollars nor more than fifty dollars, with costs of suit.

SEC. 8. That the City Marshal and other officers of the city police, shall have full power, and it is hereby made their duty, with or without process, to arrest and bring before the Mayor all persons violating this ordinance, or any part thereof.

SEC. 9. This ordinance shall take effect and be enforced from and after the 1st day of July, 1863, and all vehicles now in use, or to be in use, and subject to the provisions of this ordinance, shall be registered, numbered and licensed on or before said day.

SEC. 10. That all ordinances and parts of ordinances in conflict with this ordinance, be and the same are now repealed.

Approved May 15, 1863.

AN ORDINANCE amending an Ordinance regulating the taxing, etc., of Hackney Coaches, Drays, etc., passed May 15, 1863.

SECTION 1. *Be it ordained by the City Council of Covington*, That all carts, drays, wagons, hackney coaches, carriages, and all other vehicles owned by any person or persons whose residence is outside of the city limits of the corporation, but which are run or used for hire in conveying articles of any kind, or passengers, from one point to another point within the city limits, shall be subject to the same tax and regulations and penalties as are provided in an ordinance for similar vehicles similarly used, and owned by residents of the city of Covington: *Provided, however*, that hackney coaches brought to the city from other places for the exclusive purpose of attending funerals, shall not be subject to any of the provisions of this ordinance: *And provided, further*, that all vehicles kept and

used in said city exclusively for funeral purposes, shall also be exempt from the provisions of this ordinance.

SEC. 2. That all ordinances conflicting with this ordinance, be and the same are hereby repealed.

Approved April 10, 1864.

AN ORDINANCE authorizing the killing of Dogs.

Be it ordained by the City Council of Covington, That the Mayor is authorized, whenever he has reason to believe the public good requires it, to issue his proclamation directing and ordering all persons having or owning any dog or slut, to muzzle or confine the same within their own inclosure, for such term or period as to him may seem meet and proper; and any one failing to comply promptly with said order, then the Mayor shall authorize and direct any dog or slut found running at large to be killed, and for that purpose he may command the Marshal and his deputies, and to appoint as many persons to assist the Marshal as in his opinion may be necessary to carry into execution his commands; and the sum of twenty-five cents shall be paid for each dog killed by order of the Mayor, to the persons who shall perform that service.

Approved June 11, 1854.

AN ORDINANCE imposing a penalty upon all officers for failing to discharge their duties, etc.

Be it ordained by the City Council of Covington, That from and after the passage of this ordinance, any officer or officers of this city who shall fail, neglect, or refuse to comply strictly with, and carry out rigidly, the several ordinances prescribing their various and respective duties, shall, upon conviction before the Mayor, be fined in any sum not less than five dollars, nor more than twenty-five dollars, with costs of suit.

Approved June 2, 1864.

AN ORDINANCE for the general welfare, peace and good order of the City.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall be the duty of every physician in this city to report to the Mayor every case of "small-pox" or other conta-

gious disease which he may be called on to attend within the city limits, within twenty-four hours after he shall have examined the patient, under a penalty of ten dollars.

SEC. 2. *Be it further ordained*, That it shall not be lawful for any person to gather and haul soap-grease, or any dead animal to be used as such, through the streets or alleys of said city, between the 1st day of May and the 1st day of October in each year, except in closed carts, wagons or vessels; and in putting grease, etc., into said vehicles, they shall be kept open so long a time only as may be absolutely necessary to receive what is intended to be put therein. Nor shall any such cart, wagon, or other vehicle used for such purpose, be permitted to remain stationary for a longer period than five minutes at any one place in said streets or alleys. A violation of any of the provisions of this section shall, on conviction before the Mayor, subject the party to a fine of five dollars and costs of prosecution.

SEC. 3. No person or persons shall play at any game or games of marbles, quoits, foot-ball, town-ball, or any species of game, within the corporate limits of said city, on the first day of the week, commonly called Sunday, under a penalty of not less than one dollar nor more than five dollars, and costs, for each offense.

SEC. 4. No person or persons shall be permitted to print, engrave, make, or sell, or offer for sale, or exhibit as for sale or other purposes, any indecent, immodest or lascivious books, pamphlets, papers, pictures or stationery, in said city, under a penalty of not less than one dollar nor more than ten dollars for each offense.

SEC. 5. It shall not be lawful for any person or persons to beat, abuse, or treat inhumanly, any work beast, horse, mare, mule, or work cattle, or any other dumb beast, within the corporate limits of said city; and any one so offending, shall, on conviction thereof before the Mayor, for each offense, be fined in any sum not less than five dollars and costs of prosecution.

SEC. 6. Any person who shall willfully and maliciously deface or injure any of the public property of said city, or any fixtures or erection made in pursuance of any order of the City Council, or shall alter or deface any hand-bill, publication, or advertisement, ordered as aforesaid, shall, on conviction, for each offense, forfeit and pay, on conviction, not less than one dollar and costs of prosecution.

SEC. 7. Any person or persons posting any hand-bill upon any of the public buildings of this city, shall be fined, upon

conviction, one dollar and costs of prosecution, for each and every offense.

SEC. 8. Any one who shall be detected in throwing, in the streets, on the sidewalks, or across the streets or sidewalks in said city, any missiles, so as to endanger the windows or inconvenience the passers-by, shall, for each offense, on conviction, be fined the sum of one dollar and costs.

AN ORDINANCE regulating the Sale of Powder in the City of Covington.

SECTION 1. *Be it ordained by the City Council of Covington*, That it shall not be lawful for any person or persons to erect, within the limits of the corporation, any powder magazine, or any other building for the purpose of storing gun powder in greater quantities than is hereinafter specified; and any person violating the provision of this section, shall, on conviction before the Mayor, forfeit and pay a fine of one hundred dollars, and ten dollars for every twenty-four hours said building shall be used or occupied for the storage of more than twenty-five pounds of powder.

SEC. 2. *Be it further ordained*, That it shall not be lawful for any person to keep, in storage or for sale, more than one hundred pounds of powder in any one house in said city, at any one time; and that amount, or any part thereof, shall be securely and carefully kept, and closed up in a good and sufficient safe, so that it can not by any means be exposed. A violation of this section shall subject the person to a fine, on conviction, of five dollars for every offense.

SEC. 3. *Be it further ordained*, That no person or persons shall sell, or keep for sale, in said city, any gun powder without having first obtained a permission so to do from the Mayor of said city, who shall, before said license is granted, be fully assured and satisfied that the applicant has good and sufficient safes to keep powder in, in conformity with the second section of this ordinance; and when the Mayor is satisfied that the license may be granted, without too much risk to the community at large, he shall issue said license to the applicant, upon his paying into the City Treasury the sum of twenty dollars for one year's license, and to the Mayor fifty cents, and to the City Clerk twenty-five cents, for their certificates. Any person who shall sell any gun powder in said city from and after the passage of this ordinance, without having first obtained a

license therefor, shall, for each and every offense, forfeit and pay, on conviction, the sum of five dollars and costs.

Approved June 2, 1864.

AN ORDINANCE establishing a Fire Department, and for preventing and extinguishing Fires.

SECTION 1. *Be it ordained by the City Council of Covington*, That the Fire Department shall consist of one Superintendent of the Fire Department, and one or more steam fire engine companies, and one or more hand engine companies, which companies shall be officered and organized as hereinafter provided:

SEC. 2. The Committee on Fire Department, together with the Superintendent thereof, shall form a Board of Supervisors, with power over all matters relating to the working of the same.

SEC. 3. The Superintendent of the Fire Department shall have the sole command, at fires, over all members, companies and officers of the same, including the Chief Engineer; and over all the engines, hose reels, hose, and other apparatus of the whole Fire Department; and also over all other persons who may be present at a fire. He shall have power to form lines of citizens, in any direction, to any distance, and for any purpose, and direct the persons so formed what to do, so as to insure the protection of property, preservation of order, and the observance of the laws, ordinances and regulations respecting fires; and it shall be the duty of the said Superintendent to attend promptly at every alarm of fire, to superintend, direct and control the fire companies, prescribe the position and regulate and control the action of the several companies while engaged at fires, going to or coming from fires, and all the horses, and material of any kind belonging to the Department, and to arrest and take before the proper officers all disorderly persons, and all persons interfering with the fire companies in discharge of their duties, and also all persons disobeying any of his commands while at a fire. It shall be the duty of said Superintendent to examine into the condition of all the engines, the care and control of the horses, and all fire apparatus; the engine and other houses belonging to the city, and used for the purposes of the Fire Department and the companies attached; and he shall, at the first regular meeting of each month, and at any other time, if

required, report to the Council the condition and situation of the public cisterns, and the conductors and feeders of each, and also the condition and situation of the fire engines, hose, horses, and all other property connected with the Fire Department, belonging to the city; and suggest such alterations, improvements, repairs and additions, as he shall deem necessary. He shall also report, at the same time, the number, efficiency and character of the several fire companies in the city, and the delinquencies of any officers or men in the proper discharge of their duties; and, if required, he shall, after each fire, report the cause thereof to the Council.

SEC. 4. That it shall be the duty of the Chief Engineer to attend promptly at every fire and alarm of fire, and act in aid of the Superintendent, so far, and only so far, as required by him; and this shall comprise his whole duty, and be the extent of his authority, except that he and the said Superintendent are hereby invested with the power and authority of police officers at fires, going to and coming therefrom.

SEC. 5. No person under twenty-one years of age shall be employed as a member of a steam engine company of the city of Covington, nor shall any person be so employed who is not a citizen of the United States.

SEC. 6. No more than two regular members of each steam fire engine company shall leave the house at one time. They, the members of the Fire Department, shall be designated as 1 engineer, 2 pipemen, 2 drivers and 1 fireman, all of whom shall stand their regular watch. The engineer shall take care of the engine—keep it in good working order; the pipemen shall keep the hose in good order, and assist the engineer in cleaning and repairing the engine, and also keep the house in a cleanly condition; the drivers shall take care of the horses, harness, etc., shall exercise the horses each day at least two hours, and keep the stable in good order; the fireman shall see that the fuel for the engines is always ready, and shall help the engineer as far as practicable. At time of fire, each member of the company shall render such services as the Superintendent may direct.

SEC. 7. The engineer and members of the several companies regularly appointed, shall wear such cap or badge as the Board of Supervisors from time to time may direct, to be furnished at the expense of the city, and no other person or persons shall be permitted to wear the same.

SEC. 8. No company shall be allowed to impose fines upon its members, but it shall be the duty of the Superintendent to

enter in the roll book provided by the city, all absence or tardiness of each officer and member of said company, and to make a monthly return of the same to the Board of Supervisors; and if an officer or member shall have been absent or tardy more than one-fifth of the fires or alarms of fires, such absence or tardiness shall be considered good cause for his discharge from the Department.

SEC. 9. Immediately on the alarm of fire, during the night, it shall be the duty of the man on watch to give notice thereof by crying fire, or ringing a bell, or mentioning the street or direction where it may be; and if a watchman shall neglect to do so, he shall, upon conviction thereof before the Mayor, be fined in any sum not less than ten nor more than fifty dollars, and be discharged from the Fire Department, never to be employed again as a member thereof.

SEC. 10. The salaries of the officers and members of the Fire Department shall be paid monthly; and in the case of temporary absence of officers or members, they shall provide a substitute, to be approved by the Superintendent.

SEC. 11. The pipemen, drivers and firemen of the steam engine companies shall receive from twenty-five to fifty dollars per month, and the engineers of the steam engines shall receive from fifty to one hundred dollars per month, at the discretion of the Board of Supervisors.

SEC. 12. There shall be chosen by the City Council, at the first regular meeting in the month of July, a Superintendent of the Fire Department, who shall hold his office for the term of one year and until his successor is chosen and qualified, and he shall be removable, for cause, at the pleasure of the Council. He shall receive a salary of two hundred dollars per annum, to be paid monthly.

SEC. 13. It shall be the duty of the Superintendent, as well as all other persons engaged in connection with the Fire Department, before entering upon the duties of their office, to be qualified by the Mayor by oath or affirmation that they will faithfully support the Constitution of the United States and the State of Kentucky, and the ordinances of the city of Covington, and perform, to the best of their abilities, all the duties of their office.

SEC. 14. That the Chief Engineer shall receive a compensation of fifty dollars per annum for his services, payable monthly.

SEC. 15. That all ordinances or parts of ordinances coming in conflict herewith, are hereby repealed.

Passed and approved June 30, 1864.

AN ORDINANCE to regulate the Markets in the City of Covington.

[This ordinance having been incorrectly printed on page 105, is here inserted.]

SECTION 1. *Be it ordained by the City Council of Covington*, That the regular market days of the city shall be every day in the week except Sunday, viz.: At Eleventh street Market-space on Mondays and Thursdays, and at the Seventh street Market-space on Tuesdays and Fridays; at the Lower Market-space on Wednesdays and Saturdays, and at Sixth street Market-space on Mondays and Thursdays (the same days as the Eleventh); the Saturday evening market to be at Seventh street Market-space every Saturday evening, market hours from 4 o'clock P. M. until 9 o'clock P. M.; market hours in the morning as per section second of Market ordinance passed March 13, 1856.

SEC. 2. That all ordinances or parts of ordinances conflicting with this ordinance, be and the same are hereby repealed, and that this ordinance take effect from its passage.

Approved September 17, 1863.

A General Enacting Clause.

Be it ordained by the City Council of Covington, That the provisions of the foregoing ordinances, and amendments thereto, as revised, commencing on page 65, are now hereby fully adopted and declared to be in full force, and to have the same effect as if now originally ordained.

Approved June 30, 1864.

INDEX TO CHARTER AND AMENDMENTS.

PAGE.

Assessor, duties and compensation of 19
Assessment, Book of, time of returning 19
Assessor, Treasurer and Clerk, penalty for failure of duties 23
Auctioneers, etc., how taxed 23
Appeals from Mayor's Court allowed 27, 58
Amendment to Charter, how made 32
Assessment, Books of, returned and referred 39
" " equalized 39
Assessor, pay of 39
Assessment omitted, City Clerk's duty 39
Assessor, time allowed to make return 40
Actions against City, limitation of 44
Boundary of City 3
Beggars and Vagrants, how disposed of 12
Bonds, R. R., authority for issuing 33
" " to bear interest 33
Bonds, before issue made of, vote to be taken 34
Bonds of C. & L. R. R., to be indorsed by city 38, 41
Bonds, before indorsed, vote to be taken 38
Bridge Co., N. and C., who may take stock in 36
Bridge Co., N. and C., City Council may borrow money to pay stock subscription 36
Bridge, condemnation of property for, how made 37
Bonds, city may sell for Cov. and Cin. bridge stock 43
Bonds, Cov. and Cin. Bridge Co. may levy tax for depreciation of 45
Bridge Co., Cov. and Cin., capital stock increased 43
Board of Health, how established 10
Corporate name and style of city 4
" powers and privileges 4
Council may borrow money 6
Councilmen, when term of office commences 8
City Prison, control of 12
City Physician, term of office, etc 17
City Clerk, duty of in regard to delinquent tax bills 20
City Engineer, term of office, etc 17
Council, proceedings of, how kept 7
Collector's duty in regard to delinquent tax bills 20
Collector to make deed, etc 21
" to pay over taxes to Treasurer 21
" to make out delinquent list 21
" penalty for failing to make return, etc 22
" " for failing to pay over fines 23
Clerk, penalty for failing to perform duties 23
" not to be interested in contracts with city 31
Councilmen not to be interested in contracts 31
" to be paid for services 32
Contracts for work not to exceed revenue 32

PAGE.
Charter, amendments to, how made ... 32
" Election, when held ... 33
Clerk, fees for copies, how provided for ... 35
Councilmen, eligibility of ... 35
Coroner's inquests to be paid by city ... 41
Cov. and Cin. Bridge Co., capital stock increased ... 43
" " city authorized to take stock in ... 43
" " city may levy tax to pay interest on bonds ... 44
City to pay expenses of trials, etc., in corporate limits ... 45
" corporate limits of, extended ... 47
Crossings, how erected and paid for ... 57
City Attorney, fee allowed to ... 58
Council may license and tax wagons, etc ... 63
" power to take up and alter streets and alleys ... 63
Coffee-houses, how taxed ... 24
Dogs and other domestic animals may be taxed ... 24
Election, annual Charter ... 5
" Inspectors of ... 6
Electors, qualifications of ... 6
Engineer of Fire Department ... 11
" City, term of office ... 17
Exchange and brokers' offices, how taxed ... 24
Election precincts, two additional may be created ... 35
" voting at not allowed out of district ... 36
" voting places, how designated ... 48
" voting at to be by ballot ... 48
Fire Department, how organized ... 11
" " officers of to have police powers ... 11
" " Engineer of ... 11
Firemen, when exempt from other duty ... 11
Fines, Council may remit ... 31
" not paid to be worked out in jail ... 35
Fire Co., tax levied to support ... 58
" tax to support when reduced ... 58
Fines not paid, defendant to be imprisoned ... 58
Grading and paving, owners of property to pay for ... 9
" " " lots sold for, how redeemed ... 9
" " " may be paid for by Council ... 9
" " " lots sold for, proviso in favor of infants, etc ... 9
" " " lots sold for, how redeemed ... 10
" " " lots, lien on to secure payment ... 10
Gas-works may be erected ... 13
Hogs and cattle prohibited from running at large ... 13
Houses of ill-fame, how suppressed ... 13
Inspectors of beef and pork ... 17
Injunctions, etc., how granted ... 40
Inquests, Coroner's, to be paid for by city ... 41
Jailor, fees of, how allowed ... 50
Legislative and municipal departments ... 7
Limitations of actions against city ... 44
Markets, power to regulate ... 13
Marshal, City, duties of ... 14
" " may have deputies ... 14
" " may be chosen Collector ... 14
Market Master, duties of, etc ... 16
Marshal to be Chief of Police ... 17
Mayor's Court, jurisdiction of ... 25
" " exclusive jurisdiction in opening streets, etc ... 26

PAGE.
Mayor's Court always to be open 27
Mayor shall summon Grand Jury 27
Mayor's Court, appeals from allowed 27
Mayor, salary and fees of 28
" may take acknowledgment of deeds, etc 28
" may examine witnesses under dedimus 28
" may take depositions, recognizances, etc 28
Money not to be drawn before appropriated 32
" not to be appropriated unless in Treasury 32
Mayor *pro tem.*, power and duties of, and salary 40
" " " whom Council may appoint as 64
Mayor, jurisdiction of in writs of *habeas corpus* 51
Mayor's Court, jurisdiction of in civil cases increased 58
" " appeals from when taken 58
Mayor's salary may be increased 58
Newport and Cov. Bridge Co., management, etc 36
" " who may take stock in 36
" " officers of, how appointed 37
" " officers of, to give bond 37
" " vacancy in Board, how filled 37
" " property for, how condemned 37
Officers of city 4
" " how appointed 5
" " term of office 5
" " election of, failure to make, how provided for 5
Oath of Councilmen 8
Ordinances and by-laws, how passed 8
" to be published 8
Officers, duties of, to be prescribed 10
Overseers of Poor may be appointed 12
Ordinances, validity of, how tried 31
Officers to give bond 32
" to be elected by people 41
" certain, term of office 51
Poor House may be erected 12
Poor, overseers of, may be appointed 12
Poor House, Keeper of, term of office, etc 17
Powder magazines may be erected 13
Powder, sale of, may be prohibited 13
Port. wardens may be appointed, and term of office 17
Policemen and watchmen, duties and powers of 18
Peddlers, how taxed 23
President of Council, powers and duties of 31
" " not to be interested in contracts 31
Population, enumeration of, when made 48
Riots at fire, how punished 11
Railroad Co. may receive bonds of city 34
Railroad stock, interest allowed on 34
Records of Council to be evidence in Courts 34
" of School Board to be evidence in Courts 63
Streets and alleys, how graded and paved 8
Sidewalks, graded and paved, etc 9
Streets and alleys to be filled, etc 10
" " repairs of, to be ordered 10
Street Commissioner, duties and compensation of 16
Stores, etc., opened after list taken, how taxed 23
Shows, plays and exhibitions, how taxed 24
Schools, common, may be established 29

PAGE.
Schools, common, tax to support 30
Street Commissioner not to engage in city contracts 31
Schools, children of certain ages to be enumerated 35
School property, tenure of, regulated 47
" " to be conveyed by city to trustees 47
Schools, Superintendent of, may be employed 49
School Board, Trustees of, and President, how elected 52
" " " term of office, etc 52
" Inspectors of Election of, how appointed, etc 52
" powers and duties of members, etc 53
Schools, teachers of, and pupils, how removed 53
School Examiners, Board of, how appointed 53
" " oath of office, duties of, etc 54
Streets and alleys, expenses of, repairs, etc., on, how paid 54
" " " " how apportioned 55
" " " " to be lien, and how collected. 55
" " lots sold for repairs of, how redeemed 55
" " " " proviso in favor of infants, etc... 56
" " expenses of, grading, etc., may be paid out of Treasury... 56
" " repairs of, may be made without petition 56
" " " when lien on property attaches 56
" " " cost of, how listed 56
" " " " when property sold, how redeemed 56
Stone crossings may be erected, and how paid for 57
Steam fire engine, city may purchase 57
" " " firemen, when exempt from jury, etc 57
" " " " police powers may be conferred on 57
School Board incorporated, and to have seal 59
" " property, tenure of 59
" " who to be Treasurer of 59
" " may appoint a Collector, and duties of 59
" " Collector of, to give bond 60
" " " compensation and duties of 60
" " " to collect delinquent taxes 60
" " " penalty for failing to pay over 61
" " may hold and sell real estate 61
" " time and place of meeting 61
" " powers of Council transferred to 61
Schools, public, additional tax to support 61
" " taxes for, choses in action may be attached 62
School Board, Clerk of, compensation 62
" " records of to be evidence 63
School Fund, how and when money may be drawn from 63
School Board, members not to be contractors, and liability of 63
" " contracts of, not to exceed revenue 63
Streets, alleys, etc., Council may take up 63
Taxes, delinquent, city may purchase for 6
" power to levy and collect 18
" manner of levying 19
" bills for, how and when made out 19
" " to be delivered to Treasurer 19
Tax bills, notice of to be published 19
Taxes, duty of Treasurer in collecting 20
Tax bills, delinquent, how collected 20
Taxes, property sold for, duty of Treasurer 21
Tax bills, delinquent, Collector's duty 20
Taxes, property sold for, Collector to make deed 21
Tax list, delinquent, to be placed in hands of Collector 23

PAGE.
Taxes, property sold for, proviso in favor of infants, etc..... 40
" " " to non-residents, how redeemed..... 40
Tax, levy of, for gas purposes..... 41
" to be levied to pay interest on funded debt..... 42
Taxes, time of payment of..... 43
" may be assessed and collected on choses in action, etc..... 44
" " levied to pay loss on sale of Bridge Bonds..... 45
" " " " interest on Bridge Bonds..... 46
Tax to be levied to support steam fire engine companies..... 58
" when reduced..... 58
" additional, for school purposes..... 61
Taxes, choses in action may be attached for..... 62
Tippling-houses may be suppressed..... 13
Treasurer, how elected, and term of office..... 15
" to give bond, and duties of..... 15
" to make annual report, and salary of..... 16
" penalty for failing to perform duties..... 23
" not to be interested in city contracts..... 31
Taverns, coffee-houses, etc., licensed and taxed..... 24
Wards, Sixth and Seventh, established..... 7
" arrangement and equalization of..... 8
Wooden buildings, erection of, may be prohibited..... 12
Wharfs, power to regulate..... 13
Wharf Master and assistants, duties of..... 16
" compensation of..... 17
Wood, coal, etc., Measurers and Weighers of..... 17
Wharfs and wharfage may be established..... 24
Wards may be re-arranged..... 48
Wagons, carts, etc., Council may license..... 63

INDEX TO ORDINANCES.

PAGE.

Auction, regulating sales at 72
" violating provisions of 72
Auctioneer to give bond 72
Assessor, his duties. etc 133
" what property he is to assess 133
" compensation of 134
Assessment, who shall be listed for 134
Animals, abuse of 147
Ale, beer and porter, regulating sale of 130
" " " how peddled 77
Bathing in Ohio and Licking rivers prohibited 73
Beggars and vagrants, how punished 73
" " Marshal to arrest 74
Bonds, R. R., issued 79
" " city authorized to indorse 80
" Marcus Smith 81
" issued for N. and C. Bridge Co 82
" " " Cov. and Cin. Bridge Co 83
Board of Health established 84
" " powers and duties of 84
By-standers to aid Marshal 106
Bawdy-houses, loitering about 108
Bitch or slut prohibited from going at large 111
Burying Ground, protection of 114
Beer, ale and porter, regulating sale of 130
Buildings, being erected or repaired, may occupy street 139
Billiard tables, how licensed and regulated 141
" to whom license shall be granted 141
" person licensed not to sell spirituous liquors 142
Base line established 143
Badges of officers and firemen 150
Books, pictures, etc., obscene, selling of prohibited 147
Coffee-houses, license, how obtained 65
" " not transferable 65
" not to sell on Sundays 66
" not to sell to minors and slaves 66
" keeping without license, penalty for 67
" penalty for violating provisions, etc 67
" amount paid for license 67
" ordinance amended 67
Councilmen, compensation of 70
" penalty for failing to attend 70
" ordinance amended as to 71
City Attorney, duties and salary of 71
City Clerk, duties and salary of 86
City Weigher, office of, established 89
" how elected, and duties of 89

PAGE.
City Weigher, fees of..... 90
" " for weighing pig iron..... 91
" " " merchandise..... 91
" per cent. to be paid City Treasury..... 92
City Jailor, duties and salary of..... 93
" fees of..... 94
" " for keeping slaves..... 95
City Attorney to make report of fines before Mayor, etc.....100
Cisterns, public, not to be used for private purposes.....106
" " how protected.....117
Cruelty to animals punished.....106
Costs, etc., how paid.....106
Concealed weapons, penalty for carrying.....107
Cellar-doors, not to be left open.....110
Cemetery, Linden Grove, protection of.....116
Coal, coke, etc., measurement of.....118
Collector of taxes, duties of.....132
City Physician, duties and salary of.....140
Cellar-doors, steps, etc., how to occupy sidewalks, etc.....139
Carriages, wagons, etc., taxed.....143
Disturbance of the peace punished.....107
Drays, vehicles, etc., ordinance amended, taxed, etc.....145
Dogs, sluts, etc., when killing of authorized.....146
Exhibitions, etc., tax on..... 85
Elections, appointment of Inspectors of..... 92
Engineer Fire Department, duties and salary.....125
Engineer, Civil, duties of, and compensation.....134
" " qualifications of.....135
" " his fees.....136
" " vacancy in office, how filled.....136
" " salary of.....137
" Steam Fire Department, duties, etc.....149
Exposure, indecent, of person, how punished.....107
Fire Department, compensation of..... 70
" repairs of apparatus, how made..... 70
Fines of persons convicted, how collected.....106
Fire-works, etc., prohibited in streets, etc.....109
Fines against infants, how collected, etc.....111
Fire Department, steam, established.....149
" Supervisors, Board, how formed.....149
" Superintendent of, duties and powers.....149
" Engineer Chief of, duties, etc.....150
" badge of officers and firemen.....150
" powers of company limited.....150
" members, for non-performance of duty, punished.....151
" watchman, duty of.....151
" who shall be eligible as firemen.....150
" salaries, how paid.....151
" Superintendent, when and how elected.....151
" " powers and duties of.....151
Gas, to provide for lighting city with..... 74
" price at which city is to be furnished..... 75
" " " citizens are to be furnished..... 75
" pipes laid down by city, how paid for..... 75
" " when to be laid down..... 76
" " how constructed to prevent sickness..... 76
" " privileges may be purchased by city..... 76
Gaming prohibited in city.....107

PAGE.
Gutters not to be obstructed....112
Gravel, etc., not to be taken from public common....115
Hogs prohibited from running at large.... 78
" how disposed of when found in city.... 78
" Marshal and deputies to enforce ordinance.... 78
House, Market, to be kept clean....102
Hucksters buying to re-sell, how punished....103
Horses and wagons not to stand on side of market-house....105
Houses, bawdy, loitering about....108
Houses of ill-fame, keepers of, how punished....110
Horses, etc., not to be hitched to trees in public square....114
Houses being erected may occupy so much of street....139
Hand-bills, defacing, etc., how punished....147
Inspecting and gauging.... 88
Inspector and Sealer may employ assistants.... 88
" " fees of.... 89
Inspectors of Elections, etc., duties of.... 92
Indecent exposure of person punished....107
Jurors, Grand and Petit, pay of.... 69
" " " Mayor to give certificate of service.... 69
Jail, loitering about, how punished....117
" whisky furnished person in, how punished....117
Licenses, time of expiration of.... 65
" money paid for not refunded.... 65
" not transferable.... 65
" not to be granted to negro or mulatto.... 69
Lamps and lamp-posts, how furnished city.... 75
" " how erected and kept in repair.... 75
" " protection of....116
Market, regulation of....101
" place and time of holding....101
" stalls to be kept clean....101
" " how rented, and not transferable....101
" " failure to occupy, forfeited, etc....102
" " weights for tested, and how kept....102
Market Master, duty and salary....102, 103
" to give bond....103
Market, buying in to sell again, penalty for....103
" selling in by light weight, penalty for....104
" selling spoiled meats, vegetables, etc....104
Meat shops, who may sell in....104
Market-house stalls, how rented, and for what sum....105
Markets, holding of on Saturday evening....152
Misdemeanors....106
Marshal, duties and salary of....126
" persons resisting, how punished....108
" fees of, and may have deputies....128
" salary of increased....129
Missiles, etc., throwing of across street prohibited....148
Nuisances, how abated....110
Officers failing to report under ordinances, penalty for....100
Obstructions to be removed, and how....138
Officers of city, certain, term of office, etc....140
" " failing to discharge duties, penalty....146
Offenses of various character, how punished....146
Officers, receiving, duty of.... 99
" of city to take oath....134
Policemen, how created, and duties of.... 74

PAGE.
Peddlers, licensing of..... 77
" who exempt from its provisions..... 77
" may sell ale, porter and beer..... 77
Plays, shows and exhibitions, licensed and taxed..... 85
Public and private property, how protected.....106
Pavements, etc., how protected.....106
Public property, wells, etc., protection of.....114, 147
Powder, sale of regulated.....148
Poor House, children under twelve years, how admitted..... 96
Railroad bonds, how issued..... 79, 80
" " indorsed by city..... 80
Receiving officers, duty of..... 99
Religious worship, disturbance of, how punished.....106
Shows, plays and exhibitions, tax on, etc..... 85
Shade trees, protection of.....106
Selling by light weights, punishment for.....104
Sabbath-day, violation of, how punished.....107, 147
Shooting prohibited in city.....108
Small-pox, to prevent spreading.....108
Streets not to be encumbered with rubbish.....111
Sidewalks not to be obstructed.....112
Streets, etc., how much of may be occupied by builders.....113
Street Commissioner, police powers conferred on.....113
Sidewalks, curbing, etc., protected.....113
Street Commissioner, duties and salary of.....137
" fees, and oath of office.....133
" salary of increased.....139
Sidewalks, constructing and repairing.....142
Soap-grease, etc., must be hauled in covered vehicles.....147
Small-pox, cases to be reported by physicians.....146
Taverns, license to keep, how obtained..... 67
" general provisions regarding..... 68
" keepers of not to sell to minors or slaves..... 69
" license not to be granted to negro or mulatto..... 69
" keeper of not to sell liquor on Sunday..... 69
Ten-pin alleys prohibited..... 71
Treasurer, duties of..... 99
" salary and duties of.....130
Taxes on real and personal estate, how regulated.....131
" duties of Collector of.....132
" property sold for when deed made.....133
Vagrants and beggars, how punished..... 73
Vulgar and obscene language, use of punished.....107
Vehicles, etc., taxed.....143
Weights and measures, ordinance regulating..... 86
" " Sealer to give bond..... 86
" " Sealer of, duties of..... 87
" " penalty for refusing to exhibit..... 87
" " fees of Inspector..... 87
" " Inspector may employ assistant..... 88
Weigher, City, office established, how elected, and duties..... 89
" " fees of..... 90, 91, 92
Wood, sale of regulated, and duties of Measurer..... 96
" penalty for failing to have measured..... 97
" Measurer of, how elected, to give bond..... 97
" " to take oath, and may have deputies..... 97
" place of measurement of..... 98
" Measurer, fees of..... 98

PAGE.
Wood, ordinance amended, etc..... 99
Wagons, carriages, etc., not to stand on streets, etc.....110
" " " not to obstruct passways.....111
Wharfage, general system established.....119
" rates and charges.....119
" for failure to pay.....121
" when lessees may collect.....123
" ordinance amending.....124
Wharf Master, duties of, etc.....121
" shall keep accounts, and pay over.....123
" may have deputies.....123
Wharf, using front of, and hauling over, to pay wharfage.....124
Wardens, Fire, created.....125
" " powers and duties of.....126
Wagons, carriages, etc., used for hire, how taxed.....143
" " " amount of tax on same.....144
" " " when persons living out of city, how taxed.....144

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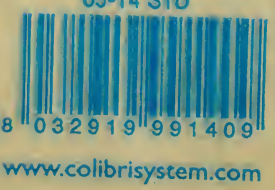

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